



Title	Accommodation of Employees
Policy Area	Operations/Human Resources
Policy Number <i>(to be assigned by Information Services)</i>	E.2.6
See also <i>(related policies)</i>	Collective agreements and employment policies

Effective Date of Policy:	September 9, 2010
Approval Date:	September 8, 2010
Applies to:	All Okanagan College employees, including prospective employees
Approving Body:	President
New policy	
Authority:	<i>College and Institute Act</i>

The following are responsible for the administration of this policy:

Primary Office	Contact
Human Resources	Director, Human Resources

Policy Statement

- 1.0 Okanagan College is committed to providing an equitable and accessible work environment which promotes, involves and reflects our diverse communities. The College will take reasonable steps to accommodate employees and prospective employees who are disabled, or whose participation in the workforce is otherwise affected by employment-related barriers created by an area protected by the *BC Human Rights Code*, unless it would cause undue hardship to the College to do so.

Policy Details

- 2.0 This policy applies to the accommodation of employees and prospective employees (the "Applicant") in the areas protected by the *BC Human Rights Code* that is unrelated to employment or intended employment.

- 3.0 Accommodations will be based on individual circumstances, and may include but will not be limited to such measures as job redesign, workplace modification, changes in hours of work, employment policy or practice modifications, the provision of technical aids, job transfer to a suitable job vacancy for which the employee is qualified, etc.
- 4.0 Requests for accommodations may arise:
 - 4.1 During the recruitment process;
 - 4.2 At the time of job offer or hire; or
 - 4.3 During the period of employment.
- 5.0 Medical accommodations will be considered where employment-related barriers are created by a physical or mental disability. An Applicant who wishes to be considered for medical accommodation must provide the College with suitable medical information which establishes the existence of a disability and supports the requirement for accommodation. The medical information required by the College will depend on the individual circumstances. It may include, without limitation, information regarding the nature of the disability, the prognosis, the functional impact of the disability, the severity of any limitations, whether the limitations are expected to be temporary or on-going, the dates of examination, the individual's compliance with the prescribed course of treatment, the identification of any prescribed medications that may affect the Applicant's ability to work safely, etc. The medical information must outline the specific job accommodations which are required because of the disability.
- 6.0 All medical information received by the College will be treated as confidential.
- 7.0 Non-medical accommodations will be considered where employment-related barriers are created by a non-disability area protected by the *BC Human Rights Code* (eg. religion, sex, etc.). An employee who wishes to be considered for a non-medical accommodation will be required to provide documentation and information to the College to support the accommodation request. The information required by the College will depend on the individual circumstances.
- 8.0 Successful accommodations rely on collaboration and cooperation between the employee or prospective employee, the designated supervisor(s), the bargaining agent and Human Resources. All parties will be expected to assist reasonably in the search for an appropriate accommodation.
- 9.0 The College is not able to accommodate an Applicant if the accommodation would cause the College undue hardship. The existence of undue hardship will depend on the individual circumstances. Relevant factors to consider may include:
 - 9.1 Whether there is a risk to the safety of others or a substantial risk of personal injury to the Applicant;
 - 9.2 The financial cost of the accommodation;
 - 9.3 Whether accommodation alternatives would result in lowering performance standards or result in substantive job requirements being unmet;
 - 9.4 Whether the accommodation would be unduly disruptive to a collective agreement or other terms and conditions of employment, or have a significant adverse impact on the rights or morale of other employees; etc.
- 10.0 An Applicant who is accommodated must be able to perform the essential requirements of the job he/she occupies or is transferred to. If the accommodation involves a transfer to a different classification, the Applicant will be paid the wage rate for that classification.

- 11.0 The duty to accommodate does not require the College to satisfy demands that are unreasonable, create a job where none exists, displace another employee, assign an individual "make work" duties that are not of tangible benefit to the College, or place an individual in a job he/she is not qualified for or cannot perform safely or productively.
- 12.0 Requests for accommodation will be denied by the College where:
 - 12.1 The request is not linked to an area protected under the *BC Human Rights Code*;
 - 12.2 There is insufficient evidence to support the request;
 - 12.3 The Applicant has failed to cooperate in the accommodation process, or has refused a reasonable accommodation proposed by the College; or
 - 12.4 The requested accommodation would cause the College undue hardship.

Procedures

- 13.0 An Applicant who wishes to be considered for an accommodation must notify the Human Resources Department, through the Pension and Benefits Coordinator, of his/her request.
- 14.0 If a medical accommodation is sought, the College will inform the Applicant of the medical information it requires. To facilitate this process, the College may provide the Applicant with a *Physician's Medical Report* form for completion by the Applicant's physician.
- 15.0 The Applicant is responsible for any cost associated with providing the required medical or other written information in support of the accommodation request.
- 16.0 Where the College requires an independent medical evaluation, the College will pay the cost of that evaluation.
- 17.0 Human Resources will assess the accommodation request based on a review of the relevant information, and will determine whether a duty to accommodate exists.
- 18.0 If Human Resources determines that a duty to accommodate does not exist it will advise the Applicant in writing and provide reasons for this determination.
- 19.0 If Human Resources determines that a duty to accommodate exists it will advise the applicable supervisor(s) of the request for accommodation, and discuss potential options for accommodation.
- 20.0 Human Resources will consult with the Applicant, the applicable supervisor(s) and any applicable bargaining agent, with a view to identifying a reasonable accommodation.
- 21.0 Approved accommodations will be documented by Human Resources and a copy of the correspondence will be placed on the employee's personnel file.
- 22.0 If the employee's abilities, needs, or the conditions of his or her job change, the employee or his/her supervisor should notify Human Resources as soon as possible. Human Resources will then obtain the necessary information to determine whether or not the existing accommodation should be modified, discontinued or replaced.
- 23.0 Any technical aids, adaptive equipment, furniture or other property purchased for an accommodation is the property of the College.