

EMPLOYMENT ACCOMMODATION POLICY

PURPOSE

The purpose of this policy is to outline Brock University's (the University) commitment to providing an environment that is inclusive and that is free of barriers based on age, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identity, gender expression, sexual orientation, marital status, family status and disability, through meeting its obligation to provide employees with suitable work accommodations, whether temporary or permanent in nature.

SCOPE

This policy applies to all employees, as well as applicants for employment with the University. It applies at all stages and to all aspects of the employment relationship, including recruitment and selection, promotions and transfers, and conditions of work. In the event that any provision of this policy is found to be inconsistent with the provisions of a collective agreement, the collective agreement will prevail.

POLICY STATEMENT

The University will, under the obligations of the Ontario Human Rights Code (the "Code"), treat all persons equally with respect to employment and provide employees with reasonable accommodation in employment.

The University will, through the process of accommodation, enable employees to perform the essential requirements of their jobs in accordance with the principles of dignity, individualization and inclusion. The University will work cooperatively, and in a spirit of respect, with all partners in the accommodation process. The University will assess and provide accommodation to employees on an individual basis and the University is committed to maintaining confidentiality to the greatest extent possible when providing accommodation to employees.

The University will extend offers of reasonable accommodation to job applicants during the job application process where such is requested. The University will provide accommodation for

needs related to the grounds of the Code, unless to do so would cause undue hardship, as defined by the Ontario Human Rights Commission.

DEFINITIONS

Accommodation: Accommodation is a fundamental and integral part of the right to equal treatment. The principle of accommodation involves three factors: dignity, individualization and inclusion.

- i) **Dignity:** Persons must be accommodated in a way that most respects their dignity, including their privacy, confidentiality, comfort and autonomy.
- ii) **Individualization:** There is no set formula for accommodation. Each person's needs are unique and must be considered afresh when an accommodation request is made. A solution may meet one person's requirements but not another's, although many accommodations will benefit many other people with similar needs.
- iii) **Inclusion:** Achieving integration and full participation requires barrier-free and inclusive design and removing existing barriers. Preventing and removing barriers means all persons should have access to their environment and face the same duties and requirements with dignity and without impediment.

Disability (as defined in the Code, Section 10. (1)):

- a. any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b. a condition of mental impairment or a developmental disability,
- c. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d. a mental disorder, or
- e. an injury or disability for which benefits were claimed or received under the insurance plan established under the

Workplace Safety and Insurance Act, 1997

Essential Duties: The core functions of a job, having regard to productivity and the importance of the function.

Undue Hardship: The point where accommodation can no longer be provided to an individual due to the significant difficulty that such accommodation would place on the employer in relation to cost, outside sources of funding, and/or health and safety.

**COMPLIANCE
AND REPORTING**

This Policy is under the jurisdiction of Human Resources. The interpretation and application of this Policy is the responsibility of Human Resources.

Policy owner:	Associate Vice-President, Human Resources
Accepted by:	Senior Administrative Council
Authorized by:	Board of Trustees - Human Resources Committee
Effective date:	March 2016
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Related documents:	Brock University Request for Medical Accommodation Form Request for Medical Accommodation Process Respectful Work and Learning Policy