

## **NIPISSING UNIVERSITY**

<b>Policy Category:</b>	Human Resources
<b>Policy Name:</b>	Employment Accommodation Policy
<b>Responsible Department:</b>	Human Resources
<b>Approval Authority:</b>	Vice-President, Finance & Administration
<b>Last Reviewed/Updated:</b>	March 2023
<b>Next Review Date:</b>	March 2026

### **A. PURPOSE**

The purpose of this policy is to establish Nipissing University's commitment to working towards a barrier-free and inclusive workplace.

This policy provides guidelines and direction regarding the accommodation in employment for faculty, staff and job applicants with disabilities, as defined in the *Ontario Human Rights Code* and other applicable legislation, including the *Accessibility for Ontarians with Disabilities Act*. It also outlines the obligations and responsibilities inherent in the accommodation process.

### **B. POLICY**

The University will accommodate an employee, in accordance with the *Ontario Human Rights Code (OHRC)* and other applicable legislation, in order for such employee to be able to perform the essential duties of their job. The University will also provide accommodations, in accordance with *OHRC* guidelines and other applicable legislation, to job applicants during the hiring process.

## **DEFINITIONS**

### **Statutory Definitions**

Statutory definitions that apply are as set out in the *OHRC and AODA* and can be found online at <http://www.ohrc.on.ca> and <https://www.aoda.ca/>.

## **CONFIDENTIALITY:**

Personal information concerning an employee cannot be released without the prior written consent of the individual and must be managed in a manner that is consistent with privacy guidelines and applicable privacy legislation, where appropriate, and the *OHRC*. In order to facilitate the accommodation process, employees are required to provide information, including information from health care practitioners, in order to implement accommodations in accordance with the *OHRC*. This information will be maintained in a secure location, separate from the accommodation seeker's personnel file, and will be shared only with persons who require the information.

## **C. RESPONSIBILITIES**

### **Human Resources**

Human Resources is responsible for:

- Collaborating with employees, supervisors and union representatives in applying this policy and developing accommodation plans;
- Providing opinion or advice where needed;
- Communicating the availability of accommodation to employees;
- Ensuring that all parties involved are aware of the policy, their obligations and their rights and responsibilities in relation to the policy;
- Maintaining records; and
- Arranging Independent Medical Examinations.

### **Supervisors**

Supervisors are responsible for:

- Advising employees of this policy and the procedures available for accommodation;
- Promoting an environment supportive of requests for accommodation, seeking guidance for this as needed;
- Identifying potential accommodation needs;
- Working with Human Resources in the development of appropriate accommodation for applicants and employees in accordance with the guidelines and procedures of this policy;
- Fulfilling their responsibilities under any accommodation plans; and
- Monitoring the success of the individual accommodation plans and addressing any deficiencies.

### **Employees**

Employees are responsible for:

- Participating in the accommodation process (e.g. providing relevant medical information in a timely manner, identifying the duties that they are able or unable to perform, etc.);

- Co-operating with all aspects of the accommodation process, which may include obtaining follow-up medical documentation from an Independent Medical Evaluator (IME);
- Requesting a union representative or support person to participate in the accommodation process if needed;
- Fulfilling their responsibilities under accommodation plans; and
- Monitoring the success of their accommodation plans and promptly addressing any deficiencies in the accommodation plan or any relevant changes in their work-related needs.

#### D. **ACCOMMODATION PROCEDURE**

A request by an individual for accommodation shall be accompanied by documentation deemed satisfactory by the University. Such request shall outline any specific requirements. Where a supervisor has reason to believe that an employee may require accommodation, Human Resources should be contacted.

Accommodations are assessed on an individual basis with appropriate expertise from within and outside the University as necessary. Human Resources will serve as a resource to the employee and/or department where accommodation is required. Employees requiring an accommodation will be involved in all levels of discussion.

In the case of a medical accommodation, the following process must be followed:

1. Employees must make their request in writing to Human Resources.
2. Medical documentation from the employee's physician with regard to the accommodation is required. Please note that specific diagnosis does not need to be identified; however, specific requirements necessary in order to be productive at work must be provided.
3. The physician must list the limitation(s) and specific accommodation(s) that is/are required, as well as the rationale as to why the employee needs a specific accommodation such as software, hardware, equipment, etc.
4. Nipissing University may request a second medical opinion on the specific accommodation(s) recommended by the employee's physician.
5. The medical documentation will be linked to the physical and mental demands of the position and will clearly identify the objectives of the accommodation.