

ONTARIO HUMAN RIGHTS CODE (OHRC) ACCOMMODATION POLICY and PROCEDURE

PURPOSE

Parya Trillium Foundation (“Parya”) is committed 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 (including pregnancy) gender identity, gender expression, sexual orientation, record of offences, marital status, family status and disability. Parya commits to provide accommodation for needs related to the grounds of the Ontario Human Rights Code, unless to do so would cause “undue hardship”, as defined by the Ontario Human Rights Commission’s Policy on disability and the duty to accommodate. Accommodation will be provided in accordance with the principles of dignity, individualization and inclusion. Parya will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

The purpose of this Accommodation Policy and Procedure is to:

- Ensure that all members of the organization are aware of their rights and responsibilities under the Ontario Human Rights Code with respect to accommodation
- Set out in writing the organization’s procedures for accommodation and the responsibilities of each of the parties to the accommodation process.

SCOPE

This policy applies to staff, volunteers, and clients at every level of the organization and to every aspect of the organization’s operations and activities, whether onsite or offsite.

It also applies to people who are applying for employment with the organization. It applies at all stages and to all aspects of the employment relationship, including recruitment and selection, promotions and transfers, and conditions of work such as hours of work and leaves of absence. All new and existing employees will be provided with a copy of this accommodation policy and procedure. All job applicants who are selected for an interview will be notified of the accommodation policy and procedure before the interview.

DEFINITIONS

Refer to Ontario Human Rights Code and OHRC Policy.

REQUESTING ACCOMODATION

Parya shall offer assistance and accommodation to persons who are clearly unwell and in need of assistance, or who are perceived to have a disability, even where no accommodation request is made. All accommodation requests will be taken seriously, regardless of the format of the request. No person will be penalized for making an accommodation request.

Whenever possible requests for accommodation should be made in writing to the manager. The accommodation request should indicate:

- The Code ground the accommodation is being requested on
- The reason accommodation is required, including enough information to confirm the existence of a need for accommodation
- The specific needs related to the Code ground.

INFORMATION FOR ACCOMODATION REQUEST

The manager may require more information related to the accommodation request, in the following circumstances:

- Where the accommodation request does not clearly indicate a need related to a Code ground
- Where more information on the employee's limitations or restrictions is needed to determine an appropriate accommodation
- Where there is a demonstrable objective reason to question the legitimacy of the person's request for accommodation.

Failure to respond to such requests for information may delay the provision of accommodation.

The manager will maintain information related to:

- The accommodation request
- Any documentation provided by the accommodation seeker or by experts
- Notes from any meetings
- Any accommodation alternatives explored
- Any accommodations provided.

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 need the information.

The organization will maintain the confidentiality of information related to an accommodation request, and will only disclose this information with the consent of the employee or applicant.

ACCOMODATION PLAN

Accommodation requests will be dealt with promptly. Where necessary, interim accommodation will be provided while long-term solutions are developed. The manager, the person requesting accommodation related to a Code ground and any necessary experts will work together to develop an Accommodation Plan for the individual.

The Accommodation Plan, when agreed on, will be put in writing, and signed by the individual requesting accommodation, the manager and the president. It may include:

- A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports
- Arrangements for needed assessments by experts or professionals Identification of the most appropriate accommodation short of undue hardship
- A statement of annual goals, and specific steps to be taken to meet them
- Clear timelines for providing the accommodation
- Criteria for determining the success of the accommodation plan, together with a process for reviewing and re-assessing the accommodation plan as needed
- An accountability mechanism.

APPROPRIATE ACCOMMODATION

Primary Audiences: Members, Employees, Volunteers Policy Owner: Manager First Approved by Board: March 26 2018	OHRC (Accommodation) Policy Effective Date: March 26 2018 Review Frequency: every 2 years
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The aim of accommodation is to remove barriers and ensure equality. Accommodations will be developed on an individualized basis. Appropriate accommodations may include:

- Work station adjustments
- Job redesign
- Changes to organizational policies and practices
- Technical aids
- Human support
- Providing materials in alternative formats
- Building modifications
- Counselling and referral services
- Temporary or permanent alternative work
- Changes to performance standards
- Leaves of absence
- Changes to scheduling or hours of work

This list is not exhaustive.

MONITORING ACCOMMODATION

The manager and the person receiving accommodation will monitor the success of the Accommodation Plan, and promptly address any deficiencies or any relevant changes in the person's needs or their environment (including workplace for employees).

UNDUE HARDSHIP

Accommodation will be provided to the point of undue hardship, as defined by the Ontario Human Rights Commission's Policy and guidelines on disability and the duty to accommodate. A decision on undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence. Only the president of Parya can determine that an accommodation will create undue hardship. Where an accommodation is assessed to create undue hardship, the person requesting accommodation will be given written notice, including the reasons for the decision and the objective evidence relied upon. The accommodation seeker will be informed of his or her recourse under Parya's OHRC Policy, and under the Ontario Human Rights Code. Where a decision has been made that an accommodation would cause undue hardship, Parya will proceed to implement the next best accommodation short of undue hardship, or will consider phasing in the requested accommodation.

RESPONSIBILITY

Parya staff will provide this policy and procedure to any person who is requesting accommodation. The manager and president are responsible for its implementation.

FOR MORE INFORMATION

For more information on the human rights system in Ontario, visit: www.ontario.ca/humanrights

To make a human rights complaint – called an application – contact the Human Rights Tribunal of Ontario at: Toll Free: 1-866-598-0322 TTY Toll Free: 1-866-607-1240 Website: www.hrto.ca

PARYA TRILLIUM FOUNDATION

344 John St. Markham ON L3T 5W6 Phone: 905-764-0202 Fax: 905-764-3775 Website: www.parya.org

To talk about your rights or if you need legal help, contact the Human Rights Legal Support Centre at:
Toll Free: 1-866-625-5179 TTY Toll Free: 1-866-612-8627 Website: www.hrlsc.on.ca

For human rights policies, guidelines and other information, visit the Ontario Human Rights Commission at www.ohrc.on.ca

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