

REASONABLE ACCOMMODATION POLICY

Sample Policy for Employers

PURPOSE:

This policy sets out a process for the company and its employees to follow where reasonable accommodation of a special need based on a protected characteristic under *The Human Rights Code* (“*The Code*”) has been requested or is indicated. It also identifies the responsibilities of the company and the employee in the reasonable accommodation process. Protected characteristics under *The Code* are: ancestry; nationality; ethnic origin; religion; age; sex, including pregnancy and gender identity; gender-determined characteristics; sexual orientation; marital or family status; source of income; political belief; and physical or mental disability.

SCOPE:

Applies to all *ABC Company* employees in Manitoba.

PHILOSOPHY:

The company desires to meet its obligations under *The Code*, including the requirement that employers reasonably accommodate special needs of employees which are based on protected characteristics, to the point of undue hardship.

POLICY:

Employee’s Responsibilities

Advise the company of the need for accommodation in a timely manner. If the company has reason to question a significant change in an employee’s behavior or performance, the company should pursue relevant inquiry (*by speaking to the employee/ asking the Occupational Health Nurse to speak to the employee or other, as specified*). Requests for accommodation should be made to the (*name of person or position*).

Provide all relevant medical and other information to help the company assess the accommodation request.

Provide the company with the necessary authorization to communicate with relevant professionals, medical or other, depending on the accommodation request.

Co-operate in the search for, and implementation of, the accommodation.

Company's Responsibilities

Review employee's request for accommodation and determine if it falls under any of the areas and /or groups covered by *The Code*.

Verify the need for accommodation by requesting from the employee (and /or their caregiver) relevant information.

Hold all information obtained about the employee confidential, as with other personal information about employees. Only information necessary to determine what accommodation is possible should be released, and only to those who need to know.

Assess, identify and implement reasonable accommodation in a timely manner.

If accommodation is not possible due to undue hardship, advise why the accommodation cannot be provided.

Education

The company will educate the employees by communicating and circulating the policy about the company's legal obligation and desire to provide reasonable accommodation and the need for employees to assist in that process by supporting and facilitating accommodation initiatives.

Monitoring

The *(name of person and/or position)* will monitor any accommodation implemented to determine effectiveness and /or need for change and/or to determine if accommodation is no longer necessary.

Review Requests

In the event that the initial reasonable accommodation request is denied by the company, employees may seek review of the decision from the *(name of position and/or person.)*