

Disability Accommodation Policy

June 23rd, 2011

1 POLICY

- 1.1 Provided an **Employee** with a **Disability** is able to perform the essential duties of their job or other available work and requests accommodation in order to do so, **PARC** has a duty to accommodate that person if it can do so without incurring undue hardship.

2 PURPOSE

- 2.1 Recognising that **PARC** strives to promote recovery by providing an environment free from discrimination and stigma, including the discrimination and stigma associated with disability, this Policy Statement establishes a process by which **Employees** with a disability may request accommodation.

3 SCOPE

- 3.1 This policy applies to all **Employees**.

4 MANAGERIAL RESPONSIBILITY

- 4.1 Each manager is responsible for ensuring the principles outlined in this Statement of Policy and Procedure are adhered to throughout all business activities.

5 DEFINITIONS

- 5.1 "**PARC**" means the Parkdale Activity-Recreation Centre
- 5.2 "**Employee**" means any person employed by or seeking employment at PARC, whether as a member of a bargaining unit, waged, salaried, or part-time employee, regardless of their status as a participant of the Member Employment Program, and regardless of the location in Ontario at which the work for which they are or may be employed takes place.
- 5.3 "**Executive Director**" means **PARC's** Executive Director as appointed by **PARC's** Board of Directors, unless the **Employee** seeking accommodation is the Executive Director, in which case it means the Executive Committee of the Board of Director's
- 5.4 "**Disability**" means
- (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 mobility device or other remedial appliance or device
 - (b) an experienced condition of mental impairment or a developmental disability
 - (c) an experience of learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols, visual or tactile cues, or spoken language
 - (d) an experienced mental health disorder
 - (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*
 - (f) an experience of having a physical or mental impairment or disorder that does not substantially limit major life activities be treated in the workplace as constituting a substantially limiting impairment or disorder
 - (g) an experience of having a physical or mental impairment or disorder, but being substantially limited in major life activities only as a result of the attitudes of others toward such impairment or disorder
 - (h) an experience of, in the absence of any physical or mental impairment or disorder, being treated in the workplace as having a substantially limiting impairment or disorder

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

Ontario Human Rights Code.

OHRC Policy and Guidelines on Disability and the Duty to Accommodate

SPP HR 2.01.ON — Employment Principles.

7 PROCEDURE

- 7.1 **Employees** who wish to raise a potential accommodation issue shall do so by submitting a request for accommodation, preferably in writing, to their immediate manager. The request shall describe the condition or circumstances causing the need for accommodation and describe, in detail, the accommodation sought to address the need.
- 7.2 **PARC** recognises the central role of personal dignity and privacy in Disability law, and enjoins its directors, managers, employees, agents, and contractors to conduct, view, and implement Disability Accommodation requests in a dignified and respectful manner, and to maintain an attitude of strict confidentiality regarding Disability Accommodation Requests and the personal information provided in relation thereto.
- 7.3 When necessary to facilitate the assessment and determination of the accommodation, the **Employee** may be required to provide relevant medical information to **PARC**. **Employees** seeking accommodation are expected to provide their fullest cooperation in providing any information or medical assessments relevant to determination of the accommodation request. **PARC** acknowledges the central position of privacy and dignity in Disability law, and will restrict its requests for information to the need for and feasibility of the requested accommodation.
- 7.4 If the **Employee** believes they experience a disability but does not wish to submit to diagnosis, the manager, **Executive Director**, and **Employee** will work together to find a qualified person to assess the need for accommodation in a manner that will assure **PARC** about the need for accommodation without offending the **Employee's** dignity.
- 7.5 The manager and the **Executive Director** will jointly assess the accommodation issue in light of the information provided. **PARC** may require the **Employee** to participate in a formal needs assessment by a qualified medical practitioner or other trained professional in order to assist in determining what accommodation is needed, how much it will cost, and how it can be provided.
- 7.6 The manager and **Executive Director** will jointly finalize a decision regarding the accommodation issue. The manager shall communicate the decision to the employee.
- 7.7 If the employee is not satisfied with the written decision regarding the request for accommodation, the employee may appeal the decision to the **Executive Director** for further review. The decision of the **Executive Director** shall be final and binding upon the parties.
- 7.8 The **Employee** may, taking into consideration the discussion and assessment of their Disability Accommodation Request, choose to resubmit their Request with modified Accommodations.
- 7.9 **PARC** will include a copy of this policy statement on its website, include a reference to an online form of this document in all job postings, provide a copy of this policy statement to any **Employee** upon request, provide a copy of this policy statement to all existing **Employees**, and provide a copy of this policy statement to all newly hired **Employees**.
- 7.10 When accounting for any costs associated with an accommodation **PARC** shall consider the costs to be general workplace costs or capital expenditures and not restrict the costs to any specific department or organisational subunit in which the **Employee** is or is seeking to be employed.