



Policy History	
Policy No.	HR18
Approving Jurisdiction:	President
Administrative Responsibility:	VP Human Resources
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Job Accommodations for Employees Procedure

A. DEFINITIONS

- Accommodation:** The reasonable adjustment of an employee’s work environment, responsibilities, schedule, or job assignment to support the employee’s needs by removing or reducing the negative impacts of barriers which prevent an otherwise qualified individual from performing or fulfilling the essential duties of their job based on a protected ground (see definition below). Accommodations can be temporary, periodic, or long term, depending on the needs of the employee.
- Accommodation Plan:** Individualized, written documents that list all accommodations and/or supports required to remove barriers and enable employees to safely and effectively participate in work.
- Barrier(s):** Anything that prevents an employee from fully taking part in any or all aspects of work. There are many different types of barriers including visible, invisible, physical, attitudinal, technological, systemic policy or practice, and information and communication barriers.
- Disability:** Includes physical, mental, intellectual or sensory impairment(s), which in interaction with various barriers may hinder an employee’s full and effective participation in the workplace. A disability can occur at any time in a person's life; some people are born with a disability, while others develop a disability later in life. It can be permanent, temporary, or episodic.

Disability can be visible or invisible and steadily worsen, remain the same, or improve. It can be very mild to very severe.

5. **Duty to Accommodate:** The employer's duty to take all reasonable steps, up to the point of undue hardship, to remove or reduce barriers to allow workers to fully participate in the workplace. This duty relates to the grounds of discrimination in the BC Human Rights Code.
6. **Employee:** Includes all administrative, faculty, staff, casual employees and student assistants of KPU.
7. **Family Status:** As defined by the [BC Human Rights](#) Tribunal.
8. **Key Parties:** Persons involved in supporting the accommodation process. This may include but is not limited to:
 - a. The employee
 - b. The employee's supervisor
 - c. Human Resources
 - d. A peer support or employee advocate
 - e. A union representative
 - f. A healthcare professional (e.g., physician, psychologist, licensed health care practitioner) consulted at the employer's expense
 - g. A third party medical or accommodation consultant
9. **Protected Grounds:** The protected grounds of discrimination in the British Columbia Human Rights Code include Indigenous identity, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age, or conviction of a criminal or summary conviction offence unrelated to their employment or intended employment.
10. **Undue Hardship:** Accommodation requires a balance between the rights of the employee and employer. Whether an accommodation will result in undue hardship to the employer will depend on the circumstances present in each individual case, and may change during the course of an accommodation. The onus of proving undue hardship rests with KPU.

B. TYPES OF ACCOMMODATION

1. Disability

Employees with a disability may require additional supports to perform an aspect of their job or require a workplace modification to continue working safely.

Accommodation may be implemented and maintained where objective medical limitations and/or restrictions support that the employee is unable to perform a required aspect of their job, requires a workplace modification and/or additional supports to continue working safely.

2. Family Status Accommodation

KPU will work with employees to find a reasonable solution to enable the employee to meet their family obligations while continuing to work.

To be considered for a family status accommodation, employees must demonstrate a serious interference with a substantial family duty or obligation of the employee and they have made reasonable efforts to mitigate this interference, or as defined by legislative changes. Where this threshold is not met employees may discuss other available options with their supervisor and/or Human Resources.

3. Religious or Spiritual Accommodation

KPU promotes religious and spiritual freedom and building an environment of mutual respect and understanding. Reasonable effort will be made by KPU to mitigate barriers that limit an employee's observance of religious or spiritual practices.

4. Other Protected Grounds

The duty to accommodate can arise in different situations based on the protected grounds of discrimination outlined in the British Columbia Human Rights Code.

For more information on types of accommodation, please contact Human Resources.

C. ROLES AND RESPONSIBILITIES

1. Kwantlen Polytechnic University (KPU)

- a. Provide a safe and inclusive environment where employees are treated fairly and equitably;
- b. Promote inclusive and accessible employment practices, policies, programs, and workplaces;
- c. Review and update policies and procedures as per the policy review process; and
- d. Take all reasonable steps, up to the point of undue hardship, to remove or reduce barriers to allow workers to fully participate in the workplace.

2. Employees

- a. Disclose to their supervisor and/or Human Resources the need for accommodation;
- b. Actively participate in the accommodation process;
- c. Actively take steps to mitigate and/or remove barriers, as appropriate;
- d. Provide information requested by their supervisor, Human Resources and/or third-party service provider to facilitate the review of an accommodation request;
- e. Review the accommodation plan and communicate any concerns to their supervisor and/or Human Resources; and
- f. Participate in education and training related to these Procedures and related Policy.

3. Supervisor

- a. Foster an understanding and acceptance of diversity, inclusion, accessibility, and disability;
- b. Facilitate and foster a safe and stigma-free environment for employees under their supervision to disclose parts of their identity and request an accommodation;
- c. Actively take steps to mitigate and/or remove barriers and identify potential accommodation options to support employees in the workplace;
- d. Duty to inquire where it is known or reasonably ought to be known that an individual is facing barriers on grounds protected under the Code;
- e. Direct the employee to contact Human Resources to request an accommodation or where a potential need to accommodate is identified;
- f. Work with employees, Human Resources, and other key parties as required to review accommodation requests;
- g. In collaboration with Human Resources and the employee, participate in the accommodation process and implementation of accommodation plans using tact and discretion;
- h. Facilitate the completion of ergonomic reviews and implement related recommendations, as required;
- i. Maintain employees' confidentiality and privacy in accordance with applicable law and the terms of the Policy Principles;
- j. Attend training and education related to these Procedures and related Policy; and
- k. Ensure employees are aware of these Procedures and related Policy.

4. Human Resources

- a. Provide regular and up-to-date education and training to KPU employees on these Procedures and related Policies;
- b. Facilitate the accommodation within the workplace;
- c. Work with the employee, their supervisor, and other key parties involved to review an accommodation request, identify accommodation options and to develop, implement, and monitor accommodation plan(s) where required;
- d. Respond to employees' accommodation request within ten (10) business days upon receipt of the Employee Job Accommodation Request Form;
- e. Advise employees of their rights to union representation, if requested, in the accommodation process;
- f. Arrange for the completion of an independent assessment by a third-party, in consultation with the employee, when additional expertise is required to support the accommodation process;
- g. Ensure accommodation plans are documented, updated and appropriately maintained in accordance with applicable law;
- h. Notify employees and supervisors within ten (10) business days of accommodation decisions;
- i. Regularly review accommodation plans to determine their ongoing suitability;
- j. Provide guidance and support on questions related to this Policy and related Procedures; and
- k. Maintain employees' confidentiality and privacy in accordance with applicable law and the terms of the *Job Accommodation for Employees Policy*.

D. PROCEDURES

1. Ergonomic

Employees that require assistance with configuring their workspace should review and complete the [Workstation Self-Evaluation checklist](#). If additional support is required, employees can request an ergonomic assessment by emailing and submitting the Workstation Self-Evaluation checklist to ohs@kpu.ca.

Occupational Health & Safety (OHS) will work directly with the employee and their supervisor to arrange for the completion of an ergonomic assessment. The employee's supervisor will work with the employee to ensure recommendations arising from the OHS assessment are implemented. Where ergonomic equipment is required, refer to [Ergonomic Equipment Ordering Guidelines](#).

An accommodation plan may not be required in situations that can be resolved through the ergonomic review process.

2. Informal Arrangement

Most requests for temporary workplace modifications on the basis of a protected ground can be resolved through informal arrangements.

Requests for an informal arrangement are to be made by completing the *Informal Arrangement Request Form* and submitted to the employee's supervisor. The supervisor, in consultation with their HR Business Partner, will work with the employee to arrange an informal arrangement based on the request made. When necessary, the HR Business Partner will consult with other HR Centres of Excellence for advice and/or guidance. Informal arrangements are not intended in circumstances where there is a disability requiring a formal accommodation. Informal arrangements must meet the following parameters:

- a. Temporary in nature, no longer than 4 months*;
- b. Align with the collective agreement and relevant KPU policies;
- c. Within the scope of the KPU department;
- d. Have no financial cost to KPU;
- e. Have no significant impact on other employees;
- f. Must be operationally feasible; and
- g. Must be available to any other employee in the department with similar circumstances.

* Informal arrangements that are expected to exceed four (4) months in duration, may be reassessed for an extension. If the requested workplace arrangement exceeds eight (8) months, with no reasonably foreseeable end date, the employee will be required to submit the request through the formal accommodation process.

The final agreed upon arrangements will be documented on the Informal Arrangement Request Form and signed off by the supervisor and employee. The department will retain the original form and a copy will be provided to the employee, the HR Business Partner, and HR Health and Wellness. An informal arrangement may be ended at any time by the employee's supervisor with appropriate notice to the employee.

Should medical documentation be required and/or an informal arrangement not be suitable or agreed upon by the employee and supervisor, then a request for a formal accommodation may be made by the employee as per the process below.

3. Formal Accommodation

The accommodation process is a shared responsibility requiring the employee, the supervisor, Human Resources and key parties to work collaboratively towards a potential solution. When a request cannot be resolved through an informal arrangement with the supervisor, in consultation with their business partner, the employee must follow the process for a request for an accommodation, as outlined in this procedure.

When a request for accommodation is made, Human Resources will work with the employee, their supervisor and other appropriate key parties to fully understand the request. Human Resources requires the employee's assistance to identify and develop accommodations, strategies, and solutions to address their individual needs. Individualized accommodation plans, where required, will be collaboratively developed between KPU and the employee. Employees are encouraged to maintain contact with their supervisor, Human Resources and other appropriate key parties throughout the accommodation process and to provide information within requested timelines.

Accommodation requests will be taken seriously and will be actioned by KPU following these procedures.

The accommodation process is available below.

a. Self-identify

Employees need to inform their supervisor and/or Human Resources of any barriers, limitations and/or restrictions they are experiencing or anticipating that affect their ability to perform their job or to work safely.

A request for a formal accommodation may be made by the employee by completing the Employee Accommodation Request Form and forwarding to the appropriate Human Resources contact as listed on the form. Once Human Resources has reviewed the Employee Accommodation Request Form, they will reach out to the employee to further discuss the request and supporting documentation.

b. Collect Information

Human Resources will arrange to meet with the employee following receipt of the Employee Accommodation Request Form.

- i. **Requests for additional information:** Depending on the circumstances, additional information may be requested by Human Resources to review an accommodation request. Requests for information will be limited to what is required in order to review the need for an accommodation and to ensure an appropriate accommodation is implemented.

Employees may be requested by Human Resources to participate in an independent third-party assessment as part of the review. Where third

party expertise is required, the employee will be consulted and employee consent will be sought.

- ii. **Privacy and Confidentiality:** As part of the accommodation process, KPU may request documentation to confirm the nature and duration of any required accommodation.

To protect employees' privacy and confidentiality, collection and access to any information related to an accommodation will be limited to relevant key parties in order to review the accommodation request, develop an appropriate accommodation plan, or to monitor the progression of an accommodation plan.

Human Resources will maintain all medical information related to an accommodation separate from an employee's personnel file. With employee's consent, limited information may be shared with relevant key parties involved in reviewing or implementing an accommodation to ensure the accommodation is appropriate. Where the release of confidential information is required, written consent will be obtained from the employee. Requests for consent will not be unreasonably made or withheld. Failure to provide consent may result in delays or stoppage in the process.

Should third party medical expertise be required to assist in determining the most appropriate accommodation and/or if there are reasonable health and safety concerns, the employee will be consulted and consent to release information will be sought. The diagnosis and treatment plan will not be shared with KPU. KPU's access to employees' medical information is limited to the nature of the injury or disability and the recommended restrictions and limitations.

- iii. **Information not received:** Failure to provide requested information or participate in a required assessment will delay or prevent the review or implementation of an accommodation.

c. **Identify Accommodation Options**

Accommodation requests are handled on a case-by-case basis, based on the specific details of the case and the rights and needs of the employee, other employees, and KPU. Each accommodation requires creativity and collaboration from all key parties involved to identify the most appropriate accommodation solution. The employee is entitled to appropriate and reasonable accommodation. However, the final accommodation plan may not match the employee's preference.

In review of accommodation options, consideration and first preference are typically given to options that allow the employee to be accommodated within their existing role and responsibilities. If this is not possible, alternate roles and responsibilities may be considered. In some situations, this may result in an

employee's reclassification and/or placement in an alternate role or position to fulfil the duty to accommodate.

If an employee is reclassified or placed in an alternate role or position by KPU as part of the accommodation process, a letter will be provided to the employee documenting the accommodation along with any employment-related considerations (i.e. pay, classification, hours of work, status, etc.). Effective on the date identified in the letter, the accommodation will be considered the employee's role or position and unless otherwise outlined in the letter, all employment-related requirements associated with the role or position will apply.

Accommodation reviews may be conducted at the employer or employee's request if there is a change of circumstance, upon the receipt of new information, and/or on an annual basis.

4. Implement and Support

Human Resources will work in partnership with employees, their supervisor, and other appropriate key parties to implement an accommodation plan. An accommodation plan may not be required in situations that can be resolved through the ergonomic review process.

a. Accommodation Plans:

- i. Accommodation plans will be documented and filed.
- ii. A copy of the accommodation plan will be provided to the employee and their supervisor in an accessible format.
- iii. The accommodation plan will be reviewed and signed by the employee and their supervisor prior to its implementation. If requested by unionized employees, the union will also be included in the review.
- iv. The accommodation plan will include, where applicable:
 - 1) The employee's name, job title and department;
 - 2) The supervisor's name, job title and department;
 - 3) A description of the accommodation, including a detailed schedule for any planned progression during the accommodation period (i.e. planned increases in work hours or duties);
 - 4) Any functional limitations or restrictions;
 - 5) The duration of the accommodation, including start and anticipated end dates (where available and applicable);
 - 6) How communication will be provided to the employee (if modifications are required);

- 7) How emergencies will be addressed (if needed);
 - 8) Follow up timelines for reviewing the accommodation plan; and
 - 9) Contact information and signatures from key parties involved in the accommodation plan.
- v. Any communication regarding the accommodation will be addressed by HR Health and Wellness in collaboration with the supervisor and employee.

The accommodation plan will also include details on how the accommodation(s) will be implemented and who is accountable for any actions required to facilitate the accommodation.

5. Monitor Progress

Human Resources will connect with employees and their supervisor following the implementation of an accommodation to ensure the accommodation continues to be appropriate and to respond to any changes.

In the event the employee's accommodation needs or the conditions of their job change, the employee, in communication with their supervisor, may consult with Human Resources to reassess or modify existing accommodations.

Where a potential need for modification to an accommodation plan is identified, adjustments may be considered and implemented following these Procedures.

E. UNDUE HARDSHIP

KPU is committed to accommodating employees to the point of undue hardship. This assessment will be considered during the review period, and will be determined on a case-by-case basis.

A determination that an accommodation would result in undue hardship does not necessarily end the accommodation process. Where the accommodation would result in undue hardship, KPU will consider other alternatives.

Where it is determined that an accommodation would result in undue hardship and no other alternatives are available or possible, thus making any accommodation impossible, the employee requesting the accommodation will be given written notice, including the reasons for the decision.

F. REVIEW OF A DECISION

If a request for an accommodation is not substantiated following the related review, Human Resources will provide the employee with a written decision and explanation.

Employees will be informed of the option to submit additional information for secondary review of a decision and of their rights under the *related Policy*.

Where an employee disagrees with a decision, employees may request that a secondary review be completed of their accommodation request. Requests for a secondary review must be made in writing, where possible, to the appropriate Associate Vice President, Human Resources.

Any review requests will be handled and responded to within ten (10) business days upon receipt of all relevant documents.

G. RELATED POLICY

HR18 Job Accommodations for Employees Policy