

**University Policy No.:** HR6115  
**Classification:** Human Resources  
**Approving Authority:** Board of Governors  
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**Mandated Review:**

## **EMPLOYMENT ACCOMMODATION**

### **1. PURPOSE**

The University has a legal duty to provide accommodation for both employees and job applicants with regard to matters that are governed by the BC Human Rights Code, unless it would cause undue hardship for the University to do so.

### **2. POLICY STATEMENT**

The University will work to achieve a workplace free of barriers by providing accommodation as needed, in a manner which ensures that everyone is dealt with fairly and equitably, and respects the needs of all parties.

### **3. IMPLEMENTATION**

3.1 Implementation of this policy will be guided by the following principles:

- 3.1.1 The University is committed to the principles and spirit of employment equity and the provisions of the BC Human Rights Code.
- 3.1.2 The process for considering requests for accommodation will be in accordance with the provisions of any Collective Agreement or Framework Agreement that is applicable to the employee. For those employees not covered by a Collective Agreement or Framework Agreement, this policy will guide the process for considering such requests.
- 3.1.3 All parties work together to facilitate accommodation.
- 3.1.4 Information is shared on a need-to-know basis while ensuring that the privacy of individuals is protected.
- 3.1.5 The individual is included and involved in the discussion and process.
- 3.1.6 Decisions are based on present conditions.

- 3.1.7 Every case is dealt with fairly and equitably and on an individual basis.
- 3.2 In the context of this policy, accommodation, subject to the limitation of causing undue hardship to the University means a measure to assist an individual, who has demonstrated a need for such a measure, in performing or fulfilling the substantive duties of a job;
  - 3.2.1 Accommodation is based on individual circumstances and can include, but is not limited to technical aids, job redesign, workplace modification, work scheduling, evaluation timelines, employment policy and practice modification.
- 3.3 In the context of this policy, undue hardship must be decided in the circumstances of each case, but the following should be considered:
  - 3.3.1 when there is a risk to the safety of others or a substantial risk of personal injury to the employee with a disability.
  - 3.3.2 when financial cost is such that a program or service would cease to exist due to the financial burden of the accommodation, or other circumstances where it would be unreasonable to expect the University to bear the costs of accommodation.
  - 3.3.3 when accommodation alternatives would result in lowering performance standards or substantive job requirements being unmet.
  - 3.3.4 when the accommodation would be unduly disruptive to a collective agreement or cause substantial detrimental effect on other employees.
- 3.4 When an employee with a disability is unable to perform job duties because of a disability and requires accommodation, the University will make every reasonable effort to the point of undue hardship to accommodate that employee in his or her current job.
- 3.5 When an employee seeks accommodation for a religious observance for which a day of observance is not provided by statute, the University will make every reasonable effort to the point of undue hardship to accommodate that employee.
- 3.6 Where it is not possible to accommodate the employee in his or her current job, every reasonable effort to the point of undue hardship will be made to place that employee in a suitable vacant position, for which the employee is qualified, within the department prior to filling the vacancy through the normal hiring process.
- 3.7 Only when it is not possible to accommodate the employee within his or her own department, will every reasonable effort be made to place the

employee in a suitable vacant position, for which the employee is qualified, elsewhere in the university.

- 3.8 Procedural guidelines will be developed by the university in consultation with applicable employee representatives as appropriate for faculty and staff to outline the process of reaching accommodation with the participation of all relevant parties.

#### **4. ACCOUNTABILITY**

- 4.1 The University has the primary responsibility to provide reasonable accommodation subject to bona fide occupational requirements and to the point of undue hardship.
- 4.2 All individuals having the authority to make or influence employment decisions have the responsibility to consider accommodation options, as appropriate, based on bona fide occupational requirements and up to the point of undue hardship.
- 4.3 Unions and the Faculty Association have the responsibility to make every reasonable effort to the point of undue hardship.
- 4.4 The employee has a responsibility to communicate at the earliest possible opportunity and in sufficient detail his or her need for accommodation, to provide appropriate documentation as necessary, and to cooperate and participate in finding a solution and implementing accommodation.

#### **5. REVIEW**

Upon approval by the Board of Governors, this Policy will be reviewed on a regular basis as established by the University Secretary or when requested by the department of Human Resources or Office of Equity & Human Rights.

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