

## Accommodation Policy H208

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### POLICY

Southeast College is committed to providing a workplace that supports the full participation of all employees. This includes ensuring that employees who experience adverse impacts in their work environments due to a characteristic protected from discrimination under the *Saskatchewan Human Rights Code* are reasonably accommodated up to the point of undue hardship.

### PURPOSE

The Accommodation Policy promotes the College's commitment to better understand the nature and extent of barriers to accessibility and inclusion, and to support our employees in their employment with the College. The policy further affirms that Southeast College will make every effort to provide reasonable accommodation, up to the point of undue hardship, for employees experiencing an adverse impact in the work environment due to a characteristic protected from discrimination under the *Saskatchewan Human Rights Code*. The policy also exists to outline a process for managing requests for accommodation in an appropriate and timely manner, as well as the participation in a workplace accommodation.

### SCOPE

This Accommodation Policy applies to all Southeast College employees.

Proactive measures and programs aimed at correcting historic disadvantages in employment for equity-seeking groups, do not form part of this Policy.

### DEFINITIONS

**Accommodation** – a temporary, one-off, or ongoing modification to an Employee's regular duties, working environment and/or workload to reduce or eliminate adverse impacts to their ability to perform their job duties and participate in the workplace due to a characteristic protected from discrimination under the *Saskatchewan Human Rights Code*.

**Employee** – any person employed by Southeast College.

**Disability** – a mental or physical disability, as defined in the *Saskatchewan Human Rights Code*.

**Parties** – all individuals who share in the responsibility to assess, determine, and support accommodations. This includes managers, directors, unions, employees seeking accommodations and their colleagues.

**Characteristic Protected** – one of the characteristics protected from discrimination as set out in *The Saskatchewan Human Rights Code*. A list of the protected characteristics are attached to this Policy as Appendix A, and will be updated from time to time if and as legislation is amended.

### CRITERIA

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1. Southeast College is committed to ensuring that employees who experience barriers in their work environment due to a human rights protected characteristic are reasonably accommodated up to the point of undue hardship.
2. Employees are encouraged to seek an accommodation where they believe they are experiencing a barrier in their work environment due to a human rights protected characteristic, which may be reduced or eliminated through reasonable accommodation.
3. Each request for an accommodation will be determined on a case-by-case basis.
4. All parties share in the responsibility for compliance in good faith with this Accommodation Policy.
5. Southeast College, through the parties, will work to ensure that approved accommodations are implemented in a manner that supports the employee's dignity, focuses on their ability to be fully successful in the workplace, and protects their right to privacy.
6. All information relating to a request for accommodation, including supporting documentation, will be treated as strictly confidential, and will not be disclosed to other persons without the consent of the employee requesting the accommodation, except to the extent that such disclosure is necessary to determine what, if any, accommodation is required, for the effective implementation of the accommodation or appeal of the decision made in response to the request for the accommodation.
7. Employees continue to have the right to seek assistance from the Saskatchewan Human Rights Commission even when actions are being taken under this Policy.
8. The parties engaged in providing an accommodation under this policy will cooperate fully and in good faith to implement the agreed upon accommodation.
9. Accommodations will be reviewed from time to time to determine whether any adjustments are necessary. If the employees' circumstances change in a way that may affect any aspect of an accommodation, they will promptly notify Human Resources. The employee shall respond to all inquiries for information related to an accommodation within ten (10) calendar days.

### ROLES AND RESPONSIBILITIES

Southeast College will:

- Ensure accommodation requests are considered on a case-by-case basis, taking into account relevant factors such as, but not limited to: the current limitations/restrictions based on relevant documentation the accommodation sought, the duties associated with the position, financial cost, collective agreement provisions, safety, and impact on other employees in order to provide reasonable accommodation.
- Comply with *The Saskatchewan Human Rights Code* and all other relevant legislation by making reasonable efforts, considering factors of undue hardship and bona fide occupational requirements, to accommodate employees with a barrier in their work environment due to a characteristic protected under human rights.

The Employee requesting accommodation will:

- Communicate accommodation requests at the earliest possible opportunity;
- Obtain, in a timely manner, appropriate treatment for the disability and provide the College with information related to current capabilities, limitations or restrictions and prognosis for recovery from a licensed Health Care Practitioner(s);
- Follow all treatment and rehabilitation prescribed by the Health Care Practitioner(s) (medical or disability management professionals);

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- Provide follow-up assessments as requested by Human Resources within the timelines outlined;
- Cooperate in the development and implementation of an accommodation plan based on current abilities and meaningful work;
- Participate fully in the accommodation process that meets their abilities and shall not decline any reasonable offer of accommodation; and
- Communicate any issues or problems with the accommodation plan to Human Resources.

Human Resources will:

- Contribute to a respectful workplace by participating in and cooperating with accommodation requests/procedures and processes as required;
- Maintain workplace accommodation documentation respecting confidentiality and privacy legislation;
- Facilitate the development of an accommodation plan that is consistent with the capabilities of the employee, and reasonable to the employer; and
- Have primary responsibility for determining and communicating reasonable and appropriate accommodation options.

The Direct Supervisor will:

- Contribute to a respectful workplace by participating in and cooperating with accommodation requests/procedures and processes as required; and
- Be the point of contact for the employee, monitor the progress of the accommodation plan and provide updates to Human Resources on the agreed upon timelines.

Southeast College recognizes the role of the Union in:

- The cooperative search for and implementation of a reasonable accommodation for an employee; and
- Assisting an employee to accept an offer of reasonable accommodation when it effectively mitigates the negative impact of the employment rule, standard, policy or practice in question.

### REFERENCE

Accommodation Procedure H208.1

Employee Consent Form H208.2

Functional Abilities Form H208.3

Appendix A: Prohibited Grounds

<b>Effective Date:</b>	February 28, 2024
<b>Date last reviewed:</b>	N/A
<b>Scheduled review date:</b>	February 2027
<b>Approved by:</b>	Executive Management Feb 2024

### **Appendix A – The Saskatchewan Human Rights Commission**

“Prohibited Ground” means one of the following prohibited grounds of discrimination:

- a) Religion;
- b) Creed;
- c) Marital status;
- d) Family status;
- e) Sex;
- f) Sexual orientation;
- g) Disability;
- h) Age;
- i) Colour;
- j) Ancestry;
- k) Nationality;
- l) Place of origin;
- m) Race or perceived race;
- n) Receipt of public assistance;
- o) Gender identity.