



Town of Stephenville Policy Manual

Policy No: 072

Resolution No: 24-326

Title: Duty to Accommodate

Approval date: October 24, 2024

Purpose:

The Town of Stephenville recognizes that we must adjust rules, policies and practices to fully enable all employees to participate in the work environment. The duty to accommodate applies to personal needs related to the grounds for discrimination.

The duty to accommodate means that sometimes it is necessary to treat someone differently to prevent or reduce discrimination. When we consider an individual's needs for them to function effectively in an environment, we give them equitable treatment.

Authority:

- Newfoundland and Labrador Human Rights Commission
- Accessibility Act, 2021

Procedure:

The Accommodation Process

When requesting an accommodation, it is ideal to have proof of diagnosis. This is not required but may be asked for at any point throughout the process, depending on the policies, procedures, and documentation needed to accommodate within that given institution, organization, or workplace. If you are looking to ask for an accommodation, here is how you can approach the situation:

1. Clearly identify your needs: No one knows what you need more to work comfortably, effectively and efficiently than you. Outline your needs and why it is important for those to be met.
2. Familiarize yourself with your rights.
3. Have solutions/suggestions prepared: Before approaching your employer or support person, have a plan for realistic ways they can support you in performing your job functions.

Examples of Accommodations

- Providing a special screen and software for people with visual impairment
- Allowing an employee to take time off to attend a medical appointment
- Managing an employee's schedule in a way that balances their work and caregiving obligations
- Making wheelchair access available to people with disabilities

Types of Support Available

The accommodation made for you will match your individual needs. What works for you may not work for another person in a similar situation. There are many ways to accommodate your needs, such as:

- Changes in the hours you work—for example, part-time, flexible hours or working from home
- Adaptive technologies—for example, special software or changes to your workspace
- Accessible parking
- Handrails, ramps, or broader doors
- A sign language interpreter
- Giving you different types of work

Unionized Employees

Bargaining unit employees shall receive accommodations as permitted by the collective agreement, the provisions of which shall prevail.

Undue Hardship

An employer or service provider does not need to prove that it is impossible to accommodate a person, just that it would result in undue hardship. Undue hardship is meant to be hard, though and does require significant difficulty or expense. What undue hardship means is different in each circumstance.

Each case is decided on its own facts, but meeting the "undue hardship" test may include a consideration of the following:

- Financial cost
- Safety
- Size of the organization
- Collective Agreement
- Interchangeability of workforce and facilities
- Morale of other employers

Revision History:

Revision:	Resolution No:	Change:	Date: