

WORKPLACE ACCOMODATION POLICY			
Effective Date	May 1, 2022	Policy Type	Administrative
Responsibility	Director, Human Resources	Cross-Reference	<ol style="list-style-type: none"> 1. Academic Staff Association Collective Agreement 2. Administrative Group Terms and Conditions of Employment 3. Alberta Union of Provincial Employees Collective Agreement 4. Employees' Association Collective Agreement 5. Progressive Discipline Policy 6. Recruitment and Selection
Approver	Executive Council	Appendices	<ol style="list-style-type: none"> 1. Workplace Accommodation Process 2. Accommodation Request Form (Step 1: Employee) 3. Accommodation Request Form (Step 2: Supervisor Review) 4. Accommodation Plan Form (Step 3: Supervisor & Employee)
Review Schedule	Every 3 years		

1. Policy Statement

- 1.1 Northwestern Polytechnic (“NWP”) values and respects all individuals and is committed to providing an equitable workplace that supports accessibility, diversity, and inclusion of all employees.
- 1.2 NWP will proactively seek to accommodate employees to the point of undue hardship by removing barriers that limit, restrict, or prevent individuals from participating fully and equally in the workplace and in accordance with the applicable legislation.

2. Policy Objective

- 2.1 Provide an understanding of NWP’s obligations and responsibilities required for successful workplace accommodation.
- 2.2 Establish standards for consistent application of this policy and its related processes.
- 2.3 Provide guidance for employees, departments, management, supervisors, union representatives, and any other parties involved in the workplace accommodation regarding rights, roles and obligations.
- 2.4 Ensure that each person who requires workplace accommodation is considered and all applications for workplace accommodation are evaluated individually in accordance with Alberta Human Rights Act and other related legislation.
- 2.5 Achieve a work culture that is supportive and inclusive of all employees.

3. Scope

- 3.1 This policy applies to all NWP employees.
- 3.2 This policy covers workplace accommodation required by Alberta Human Rights Act.

4. Definitions

- 4.1 **"Barrier"** anything that prevents the person requesting the workplace accommodation from participating in all aspects of their work, including a physical, an architectural, administrative, attitudinal, technological.
- 4.2 **"Bona Fide Occupational Requirements"** it is a quality or an attribute that employers are allowed to consider when making decisions on workplace accommodation.
- 4.3 **"Duty to Accommodate"** it is a legal obligation of an employer to take steps to eliminate the disadvantage caused by systemic, attitudinal, or physical barriers that unfairly exclude individuals or groups protected under the Alberta Human Rights Act.
- 4.4 **"Duty to Inquire"** it is the duty to investigate and look into possible relationships between behaviour/job performance and disability before making a decision that would affect one's employment.
- 4.5 **"Health Professional"** a primary physician, physiotherapist, psychologist, dentist, optometrist midwife or other member of the health profession that is overseeing the employee's recovery.
- 4.6 **"Impairment"** for the purposes of this policy, an individual will be considered impaired if the individual appears to be or is in a state of being diminished, weakened, or unable to function or perform tasks safely, meaningfully or effectively.
- 4.7 **"Modified Work (Light Duties)"** is temporary or permanent work that is physically or mentally less demanding than normal job duties.
- 4.8 **"Personal Information"** for the purpose of this policy personal information means medical information concerning an employee's restrictions, prescribed drugs and their side effects.
- 4.9 **"Protected Grounds"** under the Alberta Human Right Act, Protected Grounds are:
 - 4.9.1 Race, colour;
 - 4.9.2 Ancestry;
 - 4.9.3 Place of origin;
 - 4.9.4 Religious beliefs;
 - 4.9.5 Gender and gender identity;
 - 4.9.6 Gender expression;
 - 4.9.7 Physical disability and/ or mental disability;
 - 4.9.8 Age;
 - 4.9.9 Marital status and/ or family status;
 - 4.9.10 Source of income; and
 - 4.9.11 Sexual orientation.
- 4.10 **"Reasonable Grounds"** Includes but not limited to:
 - 4.10.1 Observed use of a substance;
 - 4.10.2 Smell;

- 4.10.3 Slurred speech pattern;
- 4.10.4 Tremors or unsteadiness in walking/ standing;
- 4.10.5 Disoriented behaviour;
- 4.10.6 Unsafe or careless conduct; or
- 4.10.7 Erratic or unusual behaviour

- 4.11 **"Undue Hardship"** a **special** or specified circumstance that partially or fully exempt NWP from its legal obligation to avoid an unreasonable or disproportionate burden or obstacle in the workplace accommodation process.
- 4.12 **"Workplace Accommodation"** a **resilient** process to balance the needs of the individual with the needs of NWP. However, workplace accommodation to the point of undue hardship is required by law.

5. Guiding Principles

- 5.1 NWP is **committed** to meeting its obligations under the Alberta Human Rights Act and any other legislation with respect to appropriate workplace accommodation.
- 5.2 This **policy** will identify and remove barriers that impede a person's ability to meet the requirements of any phase of the employment through:
 - 5.2.1 Identification and removal of barriers provide workplace accommodation unless doing so would result in undue hardship.
 - 5.2.2 Change to workplace standards, employment systems, processes and facilities to the point of undue hardship while considering issues of health, safety and cost.
- 5.3 Workplace accommodation is a shared responsibility and accountability, including a partnership between the individual Employee, Employer, Supervisor, Human Resources, and as needed, the Union and other relevant parties (including Health Professionals, or other outside experts).
- 5.4 It is the expectation of the employee seeking workplace accommodation to actively participate in the workplace accommodation meetings and cooperate with all parties involved in the development of the workplace accommodation plan.
- 5.5 The workplace accommodation process, consistently applied, is most successful when the solutions are individually tailored to each unique situation with the involvement of the person requesting the workplace accommodation and NWP.
- 5.6 An employee seeking workplace accommodation has a duty to accept a reasonable accommodation, even if it is not the one that the person suggested or prefers.
- 5.7 NWP has a duty to enquire and can ask for more information to determine if a workplace accommodation is needed. An employee may be required to provide ongoing supporting medical information.
- 5.8 NWP at its own discretion and expense can seek a third party with specific expertise to conduct assessments and determine reasonable workplace accommodations as the complexity of the case requires.

- 5.9 If NWP, based on reasonable grounds believes one's job performance or behaviour is related to any of the protected grounds listed under the Alberta Human Rights Act, NWP has a Duty to Inquire. This includes:
- 5.9.1 Providing a meaningful opportunity to the employee to identify the need;
 - 5.9.2 Requesting a workplace accommodation;
 - 5.9.3 If an employee is not willing to participate in the workplace accommodation process disciplinary measures may be considered.
- 5.10 NWP will review all requests and exercise every effort to accommodate reasonable requests, however in certain situations it may be unlikely to accommodate an employee without imposing undue hardship.

6. Confidentiality

- 6.1 While the person seeking workplace accommodation has a right to privacy, NWP under the Alberta Human Rights Act can ask for information that may help determine appropriate workplace accommodation measures.
- 6.2 NWP may request information about:
- 6.2.1 The expected length of disability and absence (prognosis for recovery);
 - 6.2.2 The employee's fitness to return to work;
 - 6.2.3 The employee's fitness to perform specific components of the job and ability to perform modified work;
 - 6.2.4 The likely duration of any physical or mental restrictions or limitations following the employee's return to work; and/or
 - 6.2.5 The side effects of prescribed drugs on the employee's wellbeing, safety, behaviour, attendance, performance and the effect on the work environment.
- 6.3 It is the employee's responsibility to provide information that will help NWP assess the request and much not unreasonably withhold such information.
- 6.4 All confidential information will be kept in a secure location and will be used solely for the purpose for which it was collected. The information will be housed in the Human Resources Department.

7. Roles and Responsibilities

STAKEHOLDER	RESPONSIBILITIES
President and CEO	<ul style="list-style-type: none"> Approval of this policy
Executive Council	<ul style="list-style-type: none"> Ensure consistency of application across NWP. Approval of the policy.
Employees	<ul style="list-style-type: none"> Contribute to a supportive work environment.
Employee requesting workplace accommodation	<ul style="list-style-type: none"> Ensure that the workplace accommodation request falls under the protected grounds of the Alberta Human Rights Act. Bring the situation and the workplace accommodation request to the attention of their supervisor or Human Resources. Explain why workplace accommodation is required and provide evidence or documents. Suggest and participate in the workplace accommodation process. Advise NWP when workplace accommodation needs have changed and provide supporting documents.
Supervisor	<ul style="list-style-type: none"> Consult with the Human Resources department to implement the Accommodation Process
Association/ Union	<ul style="list-style-type: none"> Participate in the workplace accommodation process if requested by the employee. Responsibilities may include: <ul style="list-style-type: none"> Representing the Employee; Assisting the Employee in understanding procedures and their responsibilities regarding the program; Participating in workplace accommodation meetings and the assessment and development of workplace accommodation plans. Assisting with co-worker communications.
Director, Human Resources / Human Resources	<ul style="list-style-type: none"> Ensure consistency of application across NWP. Review appeal requests from employees. Ensures appropriate training for staff involved.

8. Workplace Accommodation Process

8.1 There are five main steps to the process; Appendix 1 outlines in detail the workplace accommodation process and procedures. In addition, Appendix 2 includes forms that need to be used with this policy.

9. Exceptions to the Policy

9.1 Exceptions to the guiding principles in this policy must be documented and formally approved by the Director, Human Resources.

9.2 Policy exceptions must describe:

9.2.1 The nature of the exception;

9.2.2 A reasonable explanation for why the policy exception is required;

9.2.3 Any risks created by the policy exception; and

9.2.4 Evidence of approval by the President and CEO.

10. Inquiries

10.1 Inquiries regarding this policy can be directed to the Director, Human Resources

11. Amendments (Revision History)

11.1 Amendments to this Policy will be published from time to time and circulated to the NWP Community.

Appendix 1 – Workplace Accommodation Process

1.1. Identify the Need for workplace Accommodation

- 1.1.1. An employee can initiate a request for workplace accommodation by completing the Request for Accommodation Form and submitting to: their supervisor or the Human Resources Department.
- 1.1.2. The employee's supervisor can identify and based on reasonable grounds, the need for workplace accommodation (if applicable) and request an employee to provide the necessary information.
- 1.1.3. An Employee is responsible for providing supportive information as requested on the form.
- 1.1.4. In some cases, NWP may require additional information from a health care professional who can speak to the workplace accommodation required.
- 1.1.5. If NWP requests an evaluation by an outside party, the cost will be paid by the employee's department.

1.2. Evaluating the Workplace Accommodation Request

1.2.1. Supervisor

- 1.2.1.1 Consult with the Human Resources, Union representative or external expert.
- 1.2.1.2 Maintain appropriate contact with the relevant parties throughout the process.
- 1.2.1.3 Take reasonable steps and provide reasonable accommodation solutions to the person seeking accommodation to the point of undue hardship.
- 1.2.1.4 If full accommodation is not possible without undue hardship, suggest options that may partially meet the needs of the person seeking accommodation.
- 1.2.1.5 Follow up with the employee, ensure that the accommodation meets the needs of the person seeking accommodation.
- 1.2.1.6 Provide details to justify the decision for not being able to accommodate the employee's request (In consultation with the Human Resources Department).

1.2.2. Human Resources

- 1.2.2.1 Maintains appropriate contact with the relevant parties throughout the process.
- 1.2.2.2 Assists employees and supervisors in understanding procedures and their responsibilities regarding the program.
- 1.2.2.3 Facilitate workplace accommodation meetings.
- 1.2.2.4 Help with workplace accommodation assessment and development of the accommodation plans.
- 1.2.2.5 Ensures the accommodation includes and integrates the person into employment and activities in a manner that respects their dignity, autonomy and self-esteem.
- 1.2.2.6 Ensures the individual requesting the accommodation is not in any way disadvantaged because they have sought or require a workplace accommodation.
- 1.2.2.7 Confirm medical and/or disability information with different parties as required.

1.3. Individual Accommodation Plan

- 1.3.1. The Employee and Supervisor along with Human Resources department will work together to identify the appropriate workplace accommodation to the point of undue hardship.
- 1.3.2. Once the appropriate accommodation has been identified, the accommodation details will be formally documented using the Individual Accommodation Plan.

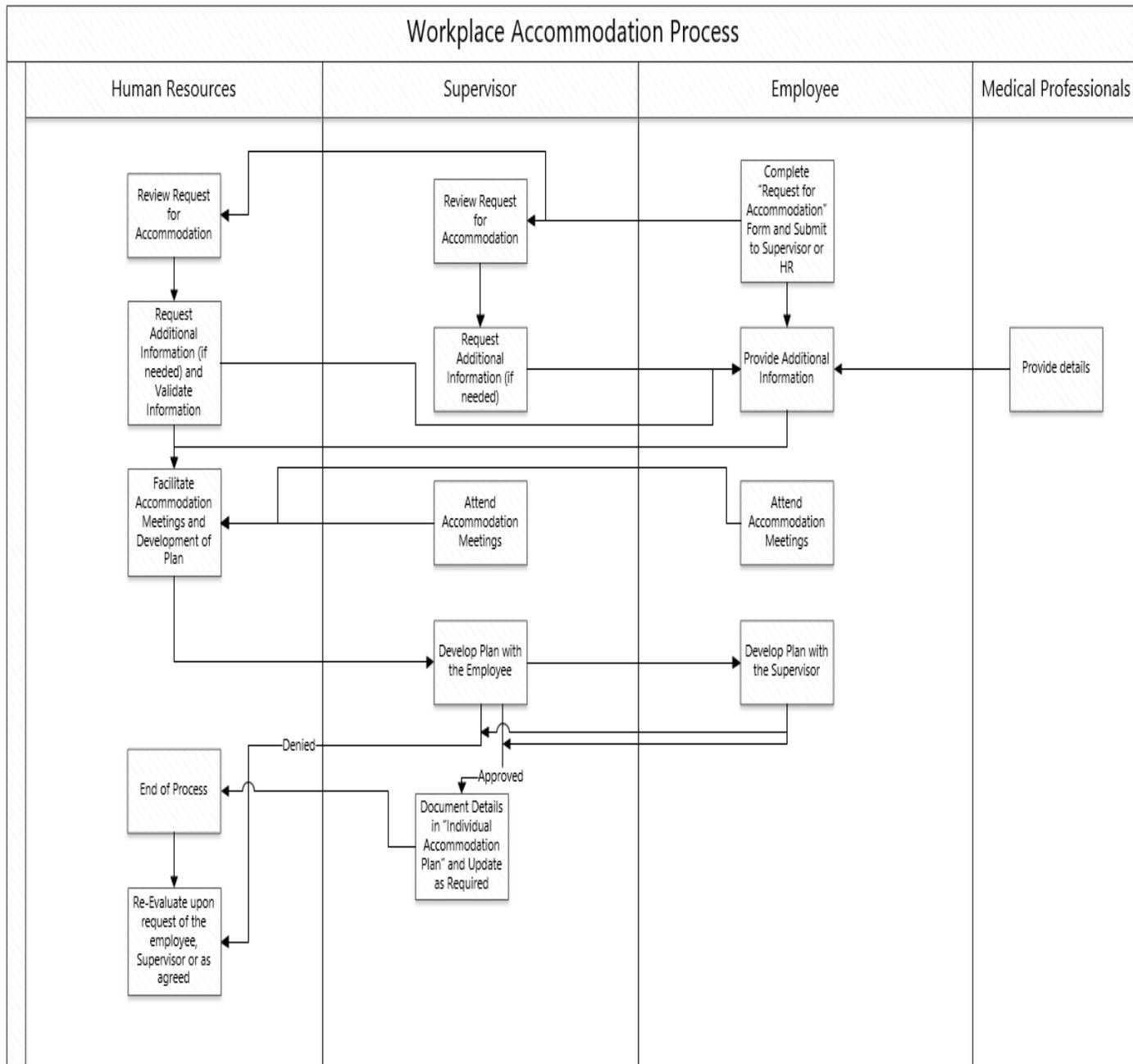
1.4. Monitoring and Reviewing the Individual Accommodation Plan

- 1.4.1. The Employee and Supervisor will monitor the plan to ensure that it is current and effective with formal reviews conducted at least annually or as agreed upon.
- 1.4.2. An Employee may request that the plan be reviewed or updated if changes to the workplace accommodation(s) are required due to changes in the Employee's needs.
- 1.4.3. Where an Employee is dissatisfied with the proposed workplace accommodation plan, a review can be undertaken by the Director, Human Resources. The Employee must provide a rationale in writing of the request for review and must provide any new information
- 1.4.4. In the event that the internal review processes remain unsatisfactory, discuss potential options with their Association/Union

1.5. Rejection of Individual Accommodation Plan

- 1.5.1. Workplace accommodation process is a partnership between the employee, NWP and where appropriate other relevant parties. However, the final decision(s) regarding accommodation will be determined by the college.
- 1.5.2. If the employee request for accommodation couldn't be met, the employee will be provided with written justification.
- 1.5.3. Upon written request, an employee can ask for another review to be undertaken by the Director, Human Resources. The Employee must provide a rationale in writing of the request for review and must provide any new required information.

Appendix 1 – Workplace Accommodation Process



Appendix 2 – Accommodation Request Form (Step 1: Employee)



This accommodation request form can be used for existing employees or for new employees who requires accommodation. This form will be used in conjunction with the accommodation plan to outline specific workplace accommodations.

All information contained in this form will be confidential and will only be disclosed to those people who are assisting in the accommodation process. Employees on accommodated duties are encouraged to update their plan and their file regularly as the new information becomes available.

Directions: Please fill out the section below listing any accommodation requests. Where information is not relevant, please insert N/A. If an assessment has been conducted, please attach a copy to this form and fill out the pertinent sections.

If you would like assistance completing this form, please contact Human Resources.

STEP 1: EMPLOYEE SECTION (To be completed by Employee)		
FULL NAME	EMPLOYEE ID#	DATE
CURRENT POSITION	DEPARTMENT	SUPERVISOR

**If this request is based on a medical need, please provide the following medical assessment and information below.*

ASSESSMENT DATE	COMPLETED BY
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Please list specific types of accommodations required.

Please list accessible formats needed as required.

I understand NWP will attempt to provide a reasonable accommodation that does not create an undue hardship on Northwestern Polytechnic.

EMPLOYEE SIGNATURE

DATE

STEP 1 (NWP Employee)

Please submit completed form to HR Department.

HR USE ONLY – COMMENTS	<input type="checkbox"/> STEP 1 – MEDICAL INFORMATION FORM REQUIRED <input type="checkbox"/> STEP 2 – SUPERVISOR REVIEW <input type="checkbox"/> NO FURTHER ACTION REQUIRED
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Appendix 3 – Accommodation Request Form (Step 2: Supervisor Review)



ACCOMMODATION REQUEST FORM
SUPERVISOR REVIEW

Management will review the accommodation request, with the necessary stakeholders and determine the feasibility of the request.

- **The information shared on this form will be kept private and confidential.**

EMPLOYEE NAME (please print)	EMPLOYEE POSITION

STEP 2: EMPLOYER SECTION (To be completed by Supervisor and additional Managers if applicable)	
DIRECT SUPERVISOR NAME	SIGNATURE
ADDITIONAL MANAGER NAME	SIGNATURE
ADDITIONAL MANAGER NAME	SIGNATURE
REVIEW MEETING LOCATION	REVIEW MEETING DATE
Evaluation of impact of Accommodation. (If any) <input type="checkbox"/> Accepted <input type="checkbox"/> Not Accepted (See below)	
If not accepted, outline Alternative Accommodations available: _____ _____	

Is more detail required? YES NO

Types of details required:

STEP 2 (NWP Employee Supervisor)
Please submit completed form to HR Department.

Appendix 4 – Accommodation Plan Form (Step 3: Supervisor and Employee)



ACCOMMODATION PLAN FORM
SUPERVISOR & EMPLOYEE

Once part one and two of the form have been completed, the employee and his/her manager or designate must meet to review the accommodation request and, if need be, come to a resolution on accommodation details and plan. This form will outline the agreed upon accommodation(s). Where there is no agreement on requested accommodations, this will also be documented.

EMPLOYEE NAME (please print)	EMPLOYEE POSITION
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STEP 3: ACCOMMODATION PLAN (To be completed by Supervisor and Employee)

SUPERVISOR NAME	POSITION
LIST ADDITIONAL MANAGEMENT PARTICIPANTS	MEETING DATE
Accommodation agreed upon:	
Alternative formats required:	
Additional information:	
Date of next review:	Accommodation Agreement End Date:

If no agreement on an accommodation, an explanation must be provided below:

Workplace Emergency Response Plan, information required? YES NO

EMPLOYEE SIGNATURE	DATE
MANAGER OF SUPERVISOR SIGNATURE	DATE
DIRECTOR, HUMAN RESOURCES SIGNATURE	DATE

STEP 3 (NWP Employee & Supervisor)

Please complete and have all parties sign and return to Human Resources