

# University of Guelph Accommodation Partnership Program

February 2007

Employees are valuable members and an integral part of the University of Guelph community. The University, in recognizing employees' continuing contribution to the organization, is committed to the implementation of early intervention for employees with disabilities upon their entering the University's workforce and employees who experience occupational and non-occupational illness or disabilities while in the workforce. The health, wellness and accommodation of employees with disabilities are principle values of the University which is supported by the Workplace Safety and Insurance Act as well as the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. The goal of the Accommodation Partnership Program is to promote a collaborative approach in assisting employees to enter the workforce, remain at work, and return to work in an early and safe manner. Together we can make a difference!

## Value Statement

The University of Guelph is dedicated to achieving employment equity for persons with disabilities and to achieving positive workplace health and safety objectives by accommodating the needs of employees with disabilities within a supportive environment.

## Definitions

### ***Disability (Ontario Human Rights Code):***

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- b) a condition of mental impairment or a developmental disability,
- c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- d) a mental disorder, or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;

***Accommodation:*** Special services, design and adaptations or adjustments of the work environment that enables people with disabilities to compete for jobs and perform all employment activities. Employment accommodation includes and integrates people with disabilities into the work force in ways that respect their dignity and self worth.

**Accommodation Plan:** an accommodation strategy designed for an employee with a disability that considers their abilities and facilitates a work environment in which they can perform their assigned duties.

**Return to Work Plan:** an accommodation strategy designed to help an employee who was off of work due to illness or disability transition into employment duties.

## **Program Objectives**

The objectives of the Accommodation Partnership Program are:

1. To maintain a sense of confidence and dignity for employees with disabilities and to promote an environment of support for the employee's participation.
2. To support the employment of persons with disabilities within the University through proactively addressing their accommodation, including workplace modifications, wherever possible, before the commencement of their service.
3. To support employees with disabilities to remain at work or to provide an early and safe return to work so that they can work to their full potential as soon as possible.
4. To provide modified work for the employees with disabilities that is both safe and meaningful. The work provided will not expose the employee to conditions which might aggravate the original injury or illness, supporting the employee's recovery.
5. To meet legislative requirements with respect to the Workplace Safety and Insurance Act, the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act.
6. Comply with and complement applicable employee agreements, in a manner that is consistent with the provisions of the *Ontario Human Rights Code*.

## **Program Guidelines**

The Accommodation Partnership Program is designed to help employees with both work related and non-work related medical conditions/disabilities to enter or remain in the university's workforce or return to work in an early and safe manner. Each partner, (which includes but is not limited to the employee, supervisor/manager, Occupational Health Services, employee association/union, co-workers, Employee Relations) has a role in the accommodation partnership program. Program partners include the individual being accommodated, the individual's supervisor or potential supervisor, Occupational Health Services, the appropriate employee group, co-workers and Employee Relations. Each partner also has legislated responsibilities in the accommodation process under the Workplace Safety and Insurance Act, the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act. The roles and responsibilities section of the Program Guidelines are intended to help partners identify and meet their respective obligations.

The Program Guidelines also provide direction on the development of an accommodation plan and monitoring of that plan. First and foremost an employee

needs to make accommodation needs known by providing medical documentation to Occupational Health Services. Once a disability is disclosed and medical documentation received, the other partners will then collaborate to develop a plan for accommodation with the employee and carry out follow up. Early disability disclosure and accommodation is one of the key components that will ensure employees with disabilities are able to work effectively in their environment. A collaborative effort and continuous communication amongst all partners will ensure the best accommodation plans are developed. Each person's needs are unique and therefore require unique solutions.

### ***Confidentiality***

All medical information received by Occupational Health Services will be treated as confidential and will not be released without the specific written authorization of the employee in question. Only the recommended restrictions and functional abilities will be shared with the workplace parties/partners on a need to know basis in the development of an appropriate accommodation plan.

### ***Roles and Responsibilities***

The goal of providing accommodation tailored to each employee's specific needs is more readily achieved with a collaborative effort. Therefore, the following responsibilities are important elements in regards to a successful return to work/ accommodation program:

#### **1. Employee**

- As soon as it is known, reports an illness or a disability to Occupational Health to identify accommodation needs<sup>1</sup>;
- Provides information regarding relevant restrictions or functional limitations, including information from health care professionals, where appropriate and as needed by Occupational Health;
- Where necessary, provides consent for Occupational Health Services to liaise and communicate with treating practitioners regarding abilities and restrictions;
- Co-operates with any experts whose assistance is required to manage the accommodation process;
- Participates in the development, implementation and evaluation of the return to work/accommodation plan, including regular follow-up with Occupational Health Services;
- Promptly communicates to supervisor and to Occupational Health when there is a change in status (e.g., medical status; functional abilities, etc.);
- Promptly seeks medical attention as indicated and follows the restrictions recommended by his/her treating practitioner;
- Works within recommended capabilities and precautions as set out in the accommodation plan.

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<sup>1</sup>In the case of a work related injury this must be reported directly to the supervisor/manager as soon as it is known. The supervisor/manager will initiate the appropriate reporting to Occupational Health Services.

## **2. Supervisor/ Manager**

- Promptly notifies Occupational Health Services of any reported illness or disability that might require accommodation or absences greater than five continuous days or of the employment of a person with a disability;
- Participates fully in the development, implementation and evaluation of the accommodation plan;
- Provides a supportive environment for employee and his/her co-workers;
- Provides input regarding employee's position and potential modified duties;
- Attends follow-up meetings.

## **3. Occupational Health Services [Human Resources]**

- Manages and maintains all accommodation, documentation and medical records.
- Obtains, clarifies and evaluates medical information;
- Obtains expert opinion(s) or advice when needed;
- Communicates with medical professionals in obtaining work restrictions.
- Arranges for assessments and supports or workplace modifications;
- Liaises with supervisors, employee groups, WSIB/Insurer in the development, implementation and evaluation of a return to work/accommodation plan;
- Monitors the employee within the modified work and/or accommodation program and recommends changes as appropriate;
- Provides support and follow-up for employees through the return to work/accommodation process;
- Maintains communication with all parties including the employee, the employee association/union, treating professional and WSIB/Sun Life;
- Convenes the Return to Work Committee on the request of either co-chair;
- Reviews progress of treatment plan and return to work goals.

## **4. Employee Association/Union**

- Supports the principles of the Accommodation Partnership Program;
- Provides support to employee/ members throughout process;
- Provide information regarding the collective agreement, health and safety legislation and the duty to accommodate under the *Ontario Human Rights Code*.
- Participates in the development, implementation and evaluation of the return to work and other accommodation plans;
- In cases of disability, the union/association participates in the Return to Work Committee in resolving issues relating to employee placement.
- Assist in job placement for workers with temporary or permanent restrictions.
- Assist the worker with conflict resolution and effective communication with the organization.
- Assist with insurance claims appeals.

## **5. Co-workers**

- Foster a supportive environment in appreciation of the challenges faced by an employee with a disability where the co-worker is aware of an employee's accommodation needs.

## **6. Employee Relations [Human Resources]**

- Provides support and advice to deans/chairs or managers/supervisors in exploring alternative work arrangements;
- Liaises with Employee Associations/Unions when necessary;
- Participates in the placement of employees who can no longer perform the essential duties of their job;
- For employees that are unable to be accommodated within the current work unit, explores alternative long term and short term work accommodation possible or available outside current work unit.

### **Development of Accommodation Plan**

An employee or potential employee should promptly report an illness or a disability<sup>2</sup> to Occupational Health Services to identify accommodation needs. He or she should also provide information regarding relevant functional abilities and restrictions, including information from health care professionals, where appropriate and as needed by Occupational Health. Upon receiving this notification, Occupational Health will contact the employee with a disability:

- 1) as soon as possible after an injury;
- 2) as soon as possible after a medical absence over 5 days or,
- 3) as soon as possible after it is notified of the hiring of an employee with a disability;
- 4) as soon as possible after it is notified that an employee with a disability requires accommodation

and will maintain communication with the employee and the supervisor. Based on the medical documentation and/or information about functional abilities provided, an individualized plan will be developed that could include the following elements: program goals; time frames; abilities and restrictions; appropriate assessments, e.g. ergonomic assessments, modified hours and duties where appropriate; supportive measures and program review dates. The employee, supervisor and Occupational Health Services (and other partners, where required) will collaborate to implement the accommodation plan.

Ultimately accommodating an employee to the same job is most desirable. However, this is not always possible. As part of the accommodation, an employee must be able to do the *essential duties* the job. Below is a hierarchy to assist in providing structure when developing individual accommodation plans.

1. Determine if employee can perform own job without modifications;
2. Determine if employee can perform own job in a modified or “rebundled” form;

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<sup>2</sup> In the case of a work related injury this must be reported directly to the supervisor/manager as soon as it is known. The supervisor/manager will initiate the appropriate reporting to Occupational Health Services.

3. Determine if employee can perform another job without modification;
4. Determine if employee can perform another job in a modified or “rebundled” form.

### **Monitoring/Review of Accommodation Plan**

1. Continuous communication between all partners shall be maintained. Any concerns observed by a partner should be raised as soon as possible.
2. Where necessary, medical information will be updated on a regular basis through follow-up with Occupational Health and the restrictions will be communicated to the department based on the medical documents.
3. Progression will be benchmarked with the Accommodation Partnership Program goals and with disability accommodation guidelines.
4. The accommodation plan will undergo regular review, where appropriate. Adjusted to identified alternative supports and reassessment will be arranged as required.
5. Where progression has ceased, the accommodation plan may be stopped when:
  - a) the employee no longer has functional limitations;
  - b) the disability is or becomes permanent and permanent accommodations have been established;
  - c) the employee can no longer be accommodated or refuses to cooperate with reasonable attempts to accommodate, or the employee can no longer be accommodated.
6. Where the accommodation plan is stopped due to an employee’s refusal to cooperate, the employee’s status will continue to be monitored at regular intervals and consideration will be given to resume the Accommodation Partnership Program if the employee demonstrates the willingness to participate in the program with the ability to progress toward program goals.

**Where an employee believes that his or her request for accommodation has not been handled in accordance with these guidelines, the employee is encouraged to contact with Human Resources, their union, association or the Human Rights and Equity Office.**

*Documents and forms can be found on the [Human Resources Website](#).*

### **Employment Accommodation Fund**

The University of Guelph is committed to creating a more accessible workplace as described in the Employment Equity Policy adopted by the university in 1990. In support of this, the Employment Accommodation Fund has been created for access by units to assist in the funding of accommodation where resources are limited. Requests for funding are accepted throughout the year and should be forwarded to the Human Rights and Equity Office, 15 University Ave. For further information, please visit the [Diversity and Human Rights website](#)

**Other Links:**

[Workplace Safety and Insurance Act](#)

[Ontario Human Rights Code](#)

[Accessibility for Ontarians with Disabilities Act](#)

[Human Rights and Equity Office](#)

[Human Rights Policy](#)