

# ROLES AND RESPONSIBILITIES OF WORKPLACE PARTIES IN AN ACCOMMODATION PROCESS

## STEP 1: EMPLOYEE COMMUNICATES NEED

Communicate need to Manager* in private in person	Not necessary at this stage to provide medical diagnosis
Describe in general	Speculation on duration not encouraged
How condition gives rise to need for alteration of job or schedule or both	
If known, propose alternate ways of getting job done	No requirement to identify doctor/health professional/specialist to manager/supervisor

\* In some cases involving substance abuse and/or mental illness the Manager may be required to make enquiries based on observable changes in employee behavior

## STEP 2: PROVIDE MEDICAL SUBSTANTIATION

- (i) Provide written medical support in a timely way to Employee Relations Associate/Manager

AND/OR

- (ii) Request functional abilities form (non-work related) and job description from Human Resources and provide to treating physician
- (iii) Return medical information to Human Resources as soon as available
- (iv) Submit receipts for payment to Human Resources

## Step 3: DEVELOPMENT OF AN ACCOMMODATION PLAN

- (i) Human Resources, Manager, the employee in need of accommodation (the “Accommodatee”), and, where requested, the appropriate union representative meet/communicate, separately or together, to identify what duties accommodatee is medically capable of performing based upon physician recommendations.
- (ii) Manager to investigate to determine what functions can be altered or re-assigned.
- (iii) Manager to communicate this to Human Resources.
- (iv) Consultation between Human Resources and Manager to ensure concurrence between what medically identified and modified job duties available.
- (v) Identify any co-worker(s) who may be affected by the change to duties.

- (vi) Schedule information sharing meeting with Accommodatee.
- (vii) Where valid concerns are identified; i.e. those that have significant impact on an affected employee or efficiency, Human Resources will review and assess.
- (viii) Once consensus reached, Accommodatee informed and concerns, if any, addressed with union's assistance before accommodative measures and plan implemented.

#### **Step 4: IMPLEMENTATION OF AN ACCOMMODATION PLAN**

- ✓ Workplace parties responsible for facilitating and supporting a workplace accommodation plan are required to do so in a manner which respects the confidential nature of the information relied upon.
- ✓ In order to balance an individual's right to privacy with the twin goals of a successful accommodation and efficient workflow, information will be shared on a "need-to-know" basis only.
- ✓ An Accommodatee is requested to share with her/his Manager and Human Resources only. Detailed medical information to be directed to Human Resources only.
- ✓ Where another employee's schedule or work conditions change significantly as a result of an accommodation plan, the workplace parties will enlist that employee's support in accordance with their legal obligations under the *Human Rights Code*.
- ✓ Where an Accommodatee's medical condition changes, the Accommodatee will communicate the nature of these changes to Human Resources. Human Resources will, if necessary, re-open consultation about the accommodation plan with the Manager, subject to receipt of a written medical report(s).
- ✓ All medical information is to be provided to and stored with the Human Resources Department.

#### **Step 5: MONITORING OF AN ACCOMMODATION PLAN**

- ✓ The Human Resources Manager will follow up with the Accommodatee and Manager on a periodic basis to ensure the plan is meeting the medical needs of the individual and the productivity needs of the department.
- ✓ As with work hardening and other conditioning programs, the accommodation plan may be subject to periodic medical review at the request of Human Resources.
- ✓ Any recurring problems arising out of assignments outside of the medical restrictions are to be reported directly to Human Resources.
- ✓ Changes to the accommodation plan occasioned by change in workflow requirements must be reported to Human Resources.
- ✓ Changes to an accommodation plan occasioned by an Accommodatee's and/or employee's circumstances must also be reported directly to Human Resources.

## Step 6: ENLISTING CO-WORKERS' SUPPORT

- ✓ The union leadership, departmental management and Human Resources will collectively educate their members/employees of their legal obligations under the Code to support an accommodation plan noting the following:
  - Acknowledgement and recognition that accommodation is a reciprocal process; it could be anyone at anytime;
  - Teamwork is a value that is acknowledged and rewarded through recognition by the employer;
  - The union fosters the value of working collectively on behalf of its sisterhood/brotherhood;
  - Workplace parties know that they are legally bound to uphold the **Code** and the **Labour Relations Act** to ensure the workplace is free from harassment and discrimination
  - Workplace parties acknowledge that the legal bar of undue hardship is a high one thus procedurally and substantively they are committed to working together to devising and revising accommodation plans that meet the interests of all parties as much as possible;
  - Workplace parties are committed to ensuring that personal histories do not interfere with working persistently, collaboratively and professionally to meet their legal obligations until a resolution is achieved.