

 BRANDON UNIVERSITY	Workplace Accommodation Fund Procedure	First Approved: <i>November 26, 2016</i>
Board of Governors Procedure	Approved by <i>Vice-President (Administration & Finance) and Vice-President (Academic & Provost)</i> Administered by <i>President & Vice-Chancellor through: Vice-President (Administration & Finance), Vice-President (Academic & Provost) and Chief Human Resources Officer</i>	Updated: Reviewed:

1.0 Scope

1.1 This procedure applies to all Brandon University employees (faculty and staff).

1.2 Employees: Employees have a responsibility when requesting an accommodation to:

- Communicate the request to their immediate supervisor along with the necessary requirements;
- Actively participate in the accommodation process to find reasonable solutions.

1.3 Supervisors: When Supervisors, including Department Chairs, Directors, Deans, Managers and Senior Administrators, are presented with a workplace accommodation request, they have an obligation to:

- Accept the accommodation request in good faith;
- Handle the accommodation request as quickly as possible;
- Manage the process by including the employee and all relevant stakeholders in determining accommodation solutions;
- Document the process including the accommodation request and the appropriate steps taken; and
- Maintain confidentiality and adhere to privacy legislation (PIPEDA, PHIA, FIPPA).

1.4 Unions and Associations: Employee unions and associations are expected to actively participate with and support their members and the University to help find reasonable solutions to workplace accommodation requests.

1.5 Human Resources Office: The Human Resources Office (HRO) will:

- provide advice and guidance to employees and supervisors regarding workplace accommodation procedures;
- aid in the interpretation and application of the workplace accommodation process;

- assist with disability management and return-to-work plans;
- request medical documentation to support the implementation of a reasonable workplace accommodation;
- maintain confidentiality and ensure that accommodation requests are handled in a manner consistent with privacy legislation (PIPEDA, PHIA, FIPPA).

1.6 Diversity and Human Rights Advisor: The Diversity and Human Rights Advisor (DHRA) is available to provide confidential consultation regarding human rights concerns and/or complaints related to workplace accommodations.

2.0 Reason for Procedure

To set out procedures secondary to the *Workplace Accommodation Fund Policy* as Brandon University supports and promotes the employment of persons with disabilities by providing supplementary funds to facilitate a workplace accommodation for those with disabilities.

2.1 Fund Procedure

Brandon University acknowledges its responsibility to its employees to adapt the workplace for reasonable accommodation requests, to the point of undue hardship. While extensive and larger accommodation expenses are covered by the University, each department is responsible for accommodation expenses for an individual's accommodation request. *Manitoba Human Rights Commission* and *Job Accommodation Network* have identified that an average individual accommodation request is \$500.

When a supervisor has an employee who has submitted an *Accommodation Request Form (ARF)* due to a disability and the preliminary meetings have been conducted with the relevant stakeholders, the process is as follows:

1. Identify, with specific detail, the type of accommodation required (eg. technical device, ergonomic aid, software, etc.);
2. Proceed by following the Brandon University purchasing policy. Items which cost less than \$500.00 do not require a purchase requisition.
3. For items which cost more than \$500.00, quotations may be required. Refer to the Brandon University purchasing policy.
4. If the department would like to request to have the University help offset extraordinary costs, a *Workplace Accommodation Fund Application (WAF)* may be completed.
5. Submit the *WAF* to the department's Dean/Director. Upon Dean/Director authorization, it will be forwarded to Human Resources.

Upon receipt of the *WAF*, Human Resources may confer with the supervisor and/or Dean should clarification be required.

Should the application be approved, the department will be notified and advised to proceed.

Should the application be denied, the Dean/Director will be advised as to the reason(s). If the application is denied, the department is responsible for the entire cost.

All parties will respect and preserve confidentiality when dealing with an accommodation request and subsequently, all the related documentation. Where the accommodation process requires the release of confidential information to a third party, that third party will be required to ensure that confidentiality is protected and is used solely for the purpose of implementing the accommodation.

3.0 Procedure(s)

3.1 Reasonable Accommodation: In order to address a workplace accommodation request, it must be determined that the request is reasonable. A reasonable workplace accommodation must meet a 'need', not necessarily a 'want'. Although a reasonable accommodation may not be ideal, the duty to accommodate is described as 'accommodation short of undue hardship'.

3.2 Statement on Undue Hardship: Undue hardship is defined as more than minimal hardship and must be based on actual evidence, not assumptions or prejudices. While financial implications tend to be a contributing factor in determining undue hardship, *The Manitoba Human Rights Commission* considers the nature, size and scope of an organization when determining if undue hardship is valid.

3.3 Return-to-Work Accommodation Protocol: The University understands that employees who are returning to work due to illness or injury may require return-to-work accommodations in order to facilitate the transition to regular work duties.

4.0 Process

4.1 Workplace Accommodation Process

Once the Accommodation Request form has been submitted to the supervisor and the request has been deemed reasonable, the following takes place:

4.1.1 Identify, with specific detail, the type of accommodation required, which may include but are not limited to: (eg. technical device, ergonomic aid, software, etc.);

- Technical aids, including software and hardware;
- Workstation modifications or building modifications;
- Work schedule modifications or adjustments;
- Alternative media formats for communication;
- Restructuring non-essential job duties;
- Alternate supports, such as sign language interpreters, service animals.

4.1.2 Proceed by following the Brandon University purchasing policy. Items which cost less than \$500.00 do not require a purchase requisition.

4.1.3 For items which cost more than \$500.00, quotations may be required. Refer to the Brandon University purchasing policy.

4.2 Workplace Accommodation Fund Application Process

Should a department or unit require supplementary funding to assist with costs related to the accommodation, funding may be available.

Funding for items required to meet the accommodation request must first be processed through the department/unit budget.

Items purchased with University funds remain property of the University. Application may be made by the supervisor to Senior Administration to request supplementary budget funds from the University's *Workplace Accommodation Fund (WAF)*. This is done as follows:

- 4.1.1 Step 1:** complete a *Workplace Accommodation Fund Application*.
- 4.1.2 Step 2:** Submit the *Workplace Accommodation Fund Application* to the department's Dean/Director.
- 4.1.3 Step 3:** Upon Dean/Director authorization, the *Workplace Accommodation Fund Application* will be forwarded to Human Resources.
- 4.1.4 Step 4a:** Human Resources will review the application. Should the application be approved, the department will be notified and advised to proceed.
- 4.1.5 Step 4b:** Should the application be denied, the Dean/Director will be advised as to the reason(s). If the application is denied, the department is responsible for the entire cost. Workplace accommodations may be declined in rare situations when:
 - It causes undue hardship; or
 - A bona fide occupational requirement is reasonably necessary to perform the duties of the position.

5.0 Accountability

5.1 The Chief Human Resources Officer and Vice-President, Administration & Finance or designate may revise or rescind process as identified in these procedures to:

- comply with the revised policy; or
- adjust process as reasonably necessary.

6.0 Secondary Documents

6.1 Forms

- *Accommodation Request form*
- *Workplace Accommodation Fund Guidelines and Application*

7.0 Review

7.1 Review of the procedures will be conducted every three (3) years. The next scheduled review date for the procedures is January 2020.

8.0 Cross Reference

8.1 Documents

- *Workplace Accommodation Fund Policy*