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<b>Administrator Responsible:</b>	Associate Vice President, People, Equity & Inclusion

## ACCOMODATION POLICY FOR EMPLOYEES

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### POLICY STATEMENT

North Island College (NIC) is committed to providing an equitable and accessible work environment which promotes, involves and reflects our diverse communities. NIC will take reasonable steps to accommodate employees and prospective employees with physical, mental or cognitive health disabilities, or whose participation in the workforce is otherwise affected by employment-related barriers created by a characteristic protected by the BC Human Rights Code, unless doing so would result in undue hardship.

### PURPOSE STATEMENT

This policy establishes the principles and procedures that will govern requests for workplace accommodations from employees or prospective employees of NIC.

### SCOPE AND APPLICATION

This policy applies to all NIC employees and prospective employees who have made a request for a workplace accommodation.

### PRINCIPLES

1. This policy and its procedures will be interpreted, administered and applied in a fair, reasonable, unbiased and timely manner.
2. All information provided to support a request for accommodation will be treated as confidential and will be handled following the protection of personal information requirements set out in the *Freedom of Information and Protection of Privacy Act*.
3. The Human Resources Advisor, Wellness and Culture, will receive and evaluate medical and other documentation received from an employee requesting an accommodation and confidential medical information will not be shared with the employee's supervisor, though the restrictions and limitations of the employee may be shared in order to assist in determining if an appropriate accommodation can be found.

## GUIDELINES

1. NIC will take reasonable steps to accommodate employees and prospective employees with physical, mental or cognitive health disabilities, or whose participation in the workforce is otherwise affected by employment-related barriers created by a characteristic protected by the *BC Human Rights Code*, unless doing so would result in undue hardship (see Guideline #12) to NIC.
2. Accommodations will be based on individual circumstances and may include but will not be limited to such measures as job redesign, workstation modification, changes in hours or days of work, employment policy or practice modifications, the provision of technical aids, job transfer to a suitable job vacancy for which an Employee is qualified.
3. An employee or prospective employee who wishes to be considered for a disability-related accommodation may be required to provide NIC with suitable medical information which establishes the existence of a disability and supports the requirement for accommodation. The medical information required by the NIC will depend on the individual circumstances. It must enable NIC to determine the specific job accommodations that are medically required because of the applicant's disability.
4. An employee's supervisor or another administrator at NIC may initiate a conversation about accommodation, and may request supporting information, including medical information, when changes in an employee's attendance, behaviour or performance indicate that the employee may need some form of accommodation.
5. Medical accommodations can be temporary, such as for the duration of a treatment plan, or permanent. Normally, updated medical information will be required from time to time to support the continuation of an accommodation.
6. Non-medical accommodations will be considered where employment-related barriers are created by other characteristics protected by the *BC Human Rights Code* (i.e., sex, race, colour, ancestry, place of origin, political belief, religion, marital status, family status, sexual orientation, gender identity or expression, age [defined as age 19 or older], or criminal conviction which is unrelated to the person's employment).
7. An employee or prospective employee who wishes to be considered for a non-medical accommodation may be required to provide documentation and information to the College to support the need for the accommodation. The information required by NIC will depend on the individual circumstances.
8. Successful accommodation relies on collaboration and cooperation between the applicant, the applicable manager(s), the employee's union (if applicable) and Human Resources. All parties will be expected to participate reasonably in the search for an appropriate accommodation.
9. The duty to accommodate does not require NIC to satisfy demands that are unreasonable, create a new position for the employee, maintain an employee in a position when they are unable to perform the essential duties of the role, assign "make work" duties that are not of tangible benefit to NIC, permit excessive absenteeism or chronic poor or non-performance, or place applicants in jobs for which they are not qualified, or that they cannot perform safely and productively.

10. An applicant who requests accommodation must be able to perform the essential requirements of the job. If the accommodation involves a transfer to a different position, the Employee will be paid the wage rate for that position.
11. NIC is not able to accommodate an applicant if the accommodation would cause undue hardship. The existence of undue hardship will depend on the individual circumstances. Relevant factors may include, but are not limited to, the following:
  - a. whether there is a risk to the safety of the applicant or others;
  - b. the financial cost of the accommodation;
  - c. whether the proposed accommodation would result in lowering material performance standards, or in substantive job requirements not being met; or
  - d. whether the accommodation would be unduly disruptive to the work environment, or have a significant adverse impact on the rights or morale of other employees.
12. Requests for accommodation may be denied by the College where:
  - a. the request is not linked to a characteristic protected by the BC *Human Rights Code*;
  - b. there is insufficient evidence to support the request;
  - c. the applicant has failed to cooperate in the accommodation process, or has refused a reasonable accommodation proposed by the College; or
  - d. the requested accommodation would cause the College undue hardship.
13. Any technical aids, adaptive equipment, furniture or other property purchased for an accommodation is the property of the College.

## **PROCEDURES**

Employees seeking an accommodation should contact the Human Resources Advisor, Employee Wellness & Culture.

## **LEGISLATIVE AND COLLECTIVE AGREEMENT REFERENCES**

[College and Institute Act](#)

[Human Rights Code](#)

[Freedom of Information and Protection of Privacy Act](#)

Collective Agreement between North Island College and Canadian Union of Public Employees Local No. 3479

Collective Agreement between North Island College and North Island College Faculty Association

## **LINKS TO OTHER RELATED POLICIES, DOCUMENTS AND WEBSITES**

[NIC Policy 1-01 Freedom of Information and Protection of Privacy](#)

[NIC Policy 2-06 Human Rights](#)