

Accommodation Policy



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| Administration & Finance | February 19, 2019 | 11-2019 | 1 | 4 |
| Subsection | Repeals By-law Number | | Policy Number | |
| Accommodation | | | AF-10-08 | |

Policy Statement

The City of Kenora is committed to providing an environment that is inclusive and free of barriers based on the provisions of the Ontario Human Rights Code (the Code). The City of Kenora commits to provide accommodation for needs related to the grounds of the Code unless to do so would cause undue hardship.

Purpose

The purpose of this Accommodation Policy and Procedure is to:

- Ensure that all members of the organization are aware of their rights and responsibilities under the Code with respect to accommodation;
- Set out in writing the organization's procedures for accommodation and the responsibilities of each of the parties to the accommodation process.

Application

This Policy applies to all City employees, City of Kenora Council members, volunteers (including Board and Committee members who receive remuneration), and to third parties who provide goods, services or facilities to the public on behalf of the City and who develop policies on behalf of the City.

Definitions

In this policy:

Senior Leadership Team (SLT) includes all direct reports to the CAO.

Principles of Accommodation

The principles used for the purposes of this policy will be those as set out in the Ontario Human Rights Commission's Policy and Guidelines on Disability and the Duty to Accommodate. For reference purpose, these have been summarized here, as taken from the Ontario Human Rights Commission website.

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Principles of Accommodation (Cont.)

“Accommodation is a fundamental and integral part of the right to equal treatment. The principle of accommodation involves three factors: dignity, individualization and inclusion.

- **Dignity:** Persons must be accommodated in a way that most respects their dignity, including their privacy, confidentiality, comfort and autonomy.
- **Individualization:** There is no set formula for accommodation. Each person's needs are unique and must be considered afresh when an accommodation request is made. A solution may meet one person's requirements but not another's, although many accommodations will benefit many other people with similar needs.
- **Inclusion:** Achieving integration and full participation requires barrier-free and inclusive design and removing existing barriers. Preventing and removing barriers means all persons should have access to their environment and face the same duties and requirements with dignity and without impediment.”

Requests for Accommodation

Individuals shall make requests for accommodation to the Human Resources Strategist, or the appropriate member of the City’s Senior Leadership Team, who will then coordinate the related request through the Human Resources Strategist. Accommodation requests should, when possible, be made in writing.

The accommodation request should indicate:

- The Code ground the accommodation is being requested on
- The reason accommodation is required, including enough information to confirm the existence of a need for accommodation
- The specific needs related to the Code ground.

Additional Information May Be Required

The City of Kenora may require more information related to the accommodation request, including the following circumstances:

Additional Information May Be Required (Cont.)

- Where the accommodation request does not clearly indicate a need related to a Code ground
- Where more information on the volunteer’s limitations or restrictions is needed to determine an appropriate accommodation
- Where there is a demonstrable objective reason to question the legitimacy of the person’s request for accommodation

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Where expert assistance is needed to identify accommodation needs or potential solutions, the accommodation seeker is required to cooperate in obtaining that expert advice.

Failure to respond to such requests for information may delay the provision of accommodation.

Treatment of Information Provided

The City of Kenora will maintain information related to:

- The accommodation request
- Any documentation provided by the accommodation seeker or by experts
- Notes from any meetings
- Any accommodation alternatives explored
- Any accommodations provided.

This information will be maintained in a secure location and will be shared only with persons who need the information and who are entitled to obtain a copy of that information.

The organization will maintain the confidentiality of information related to an accommodation request.

Accommodation Plan

The City of Kenora and the person requesting accommodation related to a Code ground will work together to develop an accommodation plan.

The accommodation plan may include:

- A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists
- Arrangements for needed assessments by experts or professionals
- Identification of the most appropriate accommodation short of undue hardship
- A statement of annual goals, and specific steps to be taken to meet them
- Clear timelines for providing the accommodation
- Criteria for determining the success of the accommodation plan, together with a process for reviewing and reassessing the accommodation plan as needed
- An accountability mechanism.

Accommodations will be developed on an individualized basis.

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Accommodation Provided to Undue Hardship

Accommodation will be provided to the point of undue hardship, as defined by the Ontario Human Rights Code. A decision on undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety and objective evidence.