

PROCEDURES ON ACCOMMODATION RELATED TO WORKPLACE ACCESSIBILITY FOR UNIVERSITY EMPLOYEES AND JOB APPLICANTS

In accordance with the *Policy on Accessibility and Accommodation for
Students and Employees* ([PRVPA-14](#))

Last modified December 1, 2021

SCOPE

These Procedures are to be read in conjunction with the University's *Policy on Accessibility and Accommodation for Students and Employees* ([PRVPA-14](#)) (the "Policy") and do not replace or supersede any rule or process set out therein.

Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the Policy.

DEFINITION

"Independent Medical Evaluation" also referred to as an independent medical examination or IME, means an objective, un-biased, third-party medical exam. This medical evaluation is performed by a medical professional, typically a medical specialist, not previously involved in an employee treatment plan.

PROCEDURES

Reasonable Workplace Accommodation

Accommodating Employees or job applicants with Disabilities is an important part of the University's commitment to an inclusive, supportive, and accessible workplace. The University develops individual workplace Accommodations, as appropriate, for job applicants, future and current Employees as well as return-to-work plans for Employees following the end of a disability leave.

Workplace Accommodations address current needs unless future limitations are known and can reasonably be accommodated. Workplace Accommodations are based upon documented functional limitations due to an appropriately documented Disability. An Accommodation must not fundamentally alter or distort the terms and conditions of employment.

Workplace Accommodations may be provided for job applicants or Employees with Disabilities of a permanent, temporary, or episodic nature, when supported by valid and appropriate documentation, including, and not limited to a medical certificate. A valid medical certificate is one that is issued by a licensed physician or surgeon registered in the province of practice and which notably includes a medical prognosis and diagnosis.

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Employees:

The University reserves the right to request a medical certificate which includes a medical prognosis and diagnosis at any time and/or to have an Employee undergo an Independent Medical Evaluation of the University's choosing and at the University's expense.

Workplace Accommodation during or after an approved leave

Please refer to [Environmental Health and Safety](#) if you have sustained a work-related injury or contracted a work-related illness.

Please refer to [Disability Benefits Program](#) and [Disability Management Services \(DMS\)](#) should you have questions related to an accepted disability leave.

Procedures for a workplace Accommodation

1. The Employee must inform the designated Human Resources representative at EmployeeAccommodation@concordia.ca of their need for a workplace Accommodation. Such request should notably include:
 - a. Description of the nature of the Accommodation requested (for specific equipment please include complete name);
 - b. Description of the changes in the work environment which could reasonably accommodate these needs; and
 - c. Appropriate supporting documentation, including medical documentation.
2. The designated [Human Resources representative](#) will document the request and will work in collaboration with the Employee, the Employee's Supervisor/Manager/Dean and, as appropriate, the Employee's union or association, if any, and depending on the situation, Human Resources may coordinate efforts with other partners such as, [Environmental Health and Safety](#), [Office of the Provost](#), [Disability Management Services \(DMS\)](#) and/or [Employee & Labour Relations](#) to assess and support the workplace Accommodation.

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3. In the event that the Employee informs their Supervisor/Manager/Dean of their need for a workplace Accommodation, the Supervisor/Manager/Dean must contact the designated Human Resources representative at EmployeeAccommodation@concordia.ca.
4. In addition to the information provided by the Employee, the designated Human Resources representative may request additional information which may include a medical certificate to assist in determining the appropriate workplace Accommodation requirements.
 - a. Any medical certificate must conform to well-established practices in specific areas/fields and must include a prognosis and diagnosis outlining functional limitations due to the Disability.
 - b. Medical information provided is for the purpose of evaluating the Accommodation needs in relation to the bona-fide occupational requirements of the position.
 - c. Medical information obtained will be treated confidentially and maintained in accordance with the *Policy Concerning the Protection of Personal Information (SG-9)*.
5. Parties involved in assessing workplace Accommodation will participate and cooperate in the workplace Accommodation process, including helping in identifying potential Accommodation options, participating in discussions, and co-operating with any partners whose assistance or consultation is required in the University's management of the Accommodation process.
6. For all academic personnel (full-time and part-time faculty, TRAC TA's and RA's) the designated Human Resources representative will work with the Office of the Provost to coordinate workplace Accommodation.
7. The goal for workplace Accommodation is to identify and implement an appropriate solution to ensure that the Employee is able to perform the requirements of the position. To this end:

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- a. The University may provide a workplace Accommodation alternative to the one(s) requested;
 - b. Workplace Accommodations are subject to periodic review; and
 - c. The Employee must immediately advise the designated Human Resources representative at EmployeeAccommodation@concordia.ca of any change in circumstances that may affect the Employee's need for Accommodation.
8. The Employee benefiting from an existing workplace Accommodation must immediately advise the designated Human Resources representative at EmployeeAccommodation@concordia.ca when they accept or transfer to a different position within the University.
 9. The designated Human Resources representative will provide the Employee or job applicant with a timely written response to their workplace Accommodation request.

Requests received for a workplace Accommodation are treated confidentially. Medical information obtained during the assessment of the workplace Accommodation process is confidential and subject to restricted access within the Human Resources department. Information shared outside of Human Resources may notably pertain to the Employee's functional limitations as they relate to the job position and need for workplace Accommodation. Permanent or temporary workplace Accommodations may be discussed with appropriate partners on a need-to-know basis.

Job applicants

Job applicants, internal or external to the community, who participate in the selection process and who have Accommodation needs that can be reasonably accommodated, are to be considered as though they have no Accommodation needs. Decisions made with respect to job applicants who participate in the selection process who require Accommodation should be made taking into consideration the bona-fide occupational requirements of the position.

1. All job applicants are made aware of the availability of Accommodation requests by the inclusion of the following information in the job postings:

Concordia desires to increase diversity among its community members and we strive to conduct accessible recruitment processes and provide accommodations for applicants with

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disabilities. If you are contacted for an interview and anticipate needing accommodations during the process, please contact, in confidence, hr-employment@concordia.ca

2. Applicants may signal a need for an Accommodation at any point during the hiring process by contacting, in confidence, hr-employment@concordia.ca. The applicant may also raise the issue of Accommodation needed to perform the duties of the position. Discussion with appropriate parties (Manager, Dean, hiring committee, etc.) may take place about the type of Accommodation that may be required by any applicant in such circumstances.
3. The employment advisor (hr-employment@concordia.ca) will forward any request for Accommodation to the designated Human Resources representative who will work with the job applicant and the hiring committee, as appropriate, to ensure reasonable and appropriate Accommodation.
4. The costs and potential future costs associated with an Accommodation at the interview stage or future employment workplace Accommodation stage will not factor into the assessment of applicants. Job applicants must be assessed solely in terms of the qualifications required for the position and their ability to perform the job (with or without Accommodation).

Responsibilities

Employees are responsible for:

- a. Communicating in writing any known workplace Accommodation needs at the earliest possible opportunity;
- b. Advising the designated Human Resources representative of any change in circumstances that affects their need for Accommodation;
- c. Participating in the workplace Accommodation process e.g., by self-disclosing a description of the need for Accommodation, identifying functional limitations that may interfere with the ability to perform requirements of the position and by providing relevant appropriate information, including medical information, in a timely manner;

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- d. Providing a medical certificate, as required;
- e. Participating, respecting and cooperating in the Accommodation process, including helping in identifying potential reasonable workplace Accommodation options, participating in discussions and co-operating with partners whose assistance or consultation is required in the University's management of the Accommodation process; and
- f. Accepting that the University may provide a workplace Accommodation alternative to the one(s) requested.

The Supervisor/Manager/Dean is responsible for:

- a. Contacting the designated Human Resources representative at EmployeeAccommodation@concordia.ca if at any point they are informed of a workplace Accommodation request by an Employee;
- b. Keeping position profiles up to date by reviewing the responsibilities of a position.
- c. Implementing and overseeing workplace Accommodations within their work unit, facilitating the integration of the Employee being accommodated, and ensuring a supportive work environment;
- d. Collaborating with the designated Human Resources representative and making reasonable efforts to provide a workplace Accommodation plan
- e. Contacting the designated Human Resources representative at EmployeeAccommodation@concordia.ca at any point during the workplace Accommodation process for assistance in implementing any accommodation; and
- f. Seeking assistance from Human Resources should any problem arise.

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The Human Resources Department is responsible for:

- a. Responding in writing to requests for reasonable workplace Accommodations in a confidential, timely and sensitive manner;
- b. Providing guidance and support to Employees and Supervisor/Dean/Manager regarding workplace accommodation and duty to accommodate;
- c. Informing the Employee as to any documentation or other supporting information that may be necessary to respond to a workplace Accommodation request;
- d. Requesting guidance or coordination of efforts with internal and external partners as appropriate;
- e. Ensuring that recruiting and hiring practices are conducted in accordance with University policies, procedures and collective agreements and applicable legislation. For Employees in the academic sector (CUFA, CUPFA and TRAC) this responsibility lies with the Office of the Provost;
- f. For all academic personnel (full-time and part-time faculty, TRAC TA's and RA's) the designated Human Resources representative will work with the Office of the Provost to coordinate workplace Accommodation; and
- g. Collaborating with all parties involved to assist in identifying and providing reasonable workplace Accommodation options based on the information provided and documenting the process.

These Procedures have been approved by the Associate Vice-President, Human Resources and Interim Deputy Provost and Vice-Provost, Faculty Development and Inclusion December 1, 2021.