



Accommodation Policy and Procedure

Policy Statement

Universal Fabricating is committed to fostering an inclusive workplace where all employees are treated with respect and dignity.

Universal Fabricating will act in a manner consistent with its obligations under the *Canadian Human Rights Act* and the *Ontario Human Rights Code*.

Universal Fabricating will provide a workplace that ensures equal opportunity free from discrimination based on race, colour, national or ethnic origin, religion, age, sex (includes pregnancy or child-birth), sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability (includes mental or physical disability, disfigurement, and dependence on alcohol or a drug), or conviction for an offence for which a pardon has been granted or a record suspended.

Universal Fabricating will provide workplace accommodation, to the point of undue hardship. The purpose of accommodation is to ensure that individuals who are otherwise able to work are not discriminated against by being excluded from doing so when working conditions can be adjusted without causing undue hardship to the employer.

Application

This policy applies to all current employees and applicants for employment of Universal Fabricating including full- and part-time, casual, contract, permanent, and temporary employees. This policy also applies to employees on approved leave including short- and long-term disability leave.

This policy applies to all aspects of employment including, but not limited to recruitment, selection, training, promotion, transfers, work arrangements, compensation and benefits, and termination of employment.

Definitions

An **inclusive workplace** means that all employees have the opportunity to contribute and participate in the workplace in a barrier-free environment. Critical to the notion of an inclusive workplace is a robust accommodation policy.

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Accommodation means taking steps to adjust rules, policies, practices, or situations that have a negative impact on an individual or groups, protected under the *Canadian Human Rights Act*.

Undue hardship occurs when accommodation adjustments to the workplace would be prohibitively expensive, or create undue risks to health or safety. Each situation will be viewed as unique and assessed individually. A claim of undue hardship must be supported with facts and a detailed analysis of options; impressionistic or speculative reasons will not suffice.

The following are examples where accommodation could cause undue hardship:

- An employer cannot accommodate without seriously impacting business operations.
- An employee will not be able to return to work in the foreseeable future or is absent so often that it is no longer possible to accommodate them without causing the employer serious financial hardship.
- The employee's position is safety sensitive and, as a result, accommodation may pose a safety risk to the employee, their colleagues, clients and/or the public.

Accommodation Planning

Accommodation requests will be dealt with promptly. Where necessary, interim accommodation will be provided while long-term solutions are developed.

The supervisor, the person requesting accommodation related to a *Code* ground and, where appropriate, the Human Resources Manager and any necessary experts will work together to develop an Accommodation Plan for the individual.

The Accommodation Plan, when agreed on, will be put in writing, and signed by the individual requesting accommodation, the supervisor, and the Human Resources Manager. It may include:

- A statement of the accommodation seeker's relevant limitations and needs, including any needed assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports.
- 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 re-assessing the accommodation plan as needed.
- An accountability mechanism.

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Appropriate Accommodations

The aim of accommodation is to remove barriers and ensure equality. Accommodations will be developed on an individualized basis. Appropriate accommodations may include:

- Workstation readjustments
- Job redesign
- Changes to organizational policies and practices
- Technical aids
- Human support
- Providing materials in alternative formats
- Building modifications
- Counselling and referral service
- Temporary or permanent alternative work
- Leaves of absence
- Changes to scheduling or hours of work
- Changes to work uniforms

This list is not exhaustive.

Responsibilities and Expectations

Accommodation is a shared responsibility between employees, supervisors, and Universal Fabricating, as the employer.

Universal Fabricating is responsible for:

- eliminating barriers that prevent people from accessing, or being included in, the workplace;
- minimizing the need for individual accommodation by regularly reviewing rules, policies, bylaws, and practices to ensure that they are not discriminatory;
- ensuring that all employees and job applicants are advised of their right to be accommodated;
- dealing with requests for accommodation in a timely, confidential, and sensitive manner;
- providing individual accommodation to the point of undue hardship; and
- ensuring that this policy is effectively implemented.

Supervisors are responsible for:

- fostering an inclusive work environment by treating all employees and job applicants with respect and dignity;
- identifying and eliminating barriers that prevent people from accessing, or being included, in the workplace;
- dealing with requests for accommodation in a timely, confidential, and sensitive manner;

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- informing individuals requiring accommodation what information they need to provide to be accommodated;
- generating accommodation options based on the information provided about the individual's accommodation need(s);
- involving individuals requiring accommodation in the search for accommodation; and
- initiating a discussion about accommodation when they are aware that an employee or job applicant may have a need for accommodation, but is unable, for any reason, to communicate that need.

Employees and job applicants are responsible for:

- making their accommodation needs known. This does not require the disclosure of the specific cause of their needs but only the effects which create the need for accommodation;
- helping to identify potential accommodation options;
- providing documentation in support of their request for accommodation, including information about any restrictions or limitations; and
- accepting an offer of accommodation that meets their needs, even if it is not their preferred accommodation option.

Employees and job applicants can expect:

- to be treated with respect and dignity;
- to have their needs accommodated up to the point of undue hardship; and
- to be informed of the reasons, if their accommodation request is denied.

Procedures for Accommodation

Job Applicants

When contacted for an interview, job applicants will be advised that Universal Fabricating has an accommodation policy and asked whether they require accommodation to participate in the hiring process.

The supervisor will evaluate the job applicant's request for accommodation and may request more information from the applicant to facilitate the accommodation.

If a request for accommodation is denied, the reasons why will be clearly communicated to the job applicant.

Employees

An employee may request accommodation by notifying their supervisor. Alternatively, accommodation needs may be identified through supervisor and employee collaboration in response to concerns raised by the supervisor.

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The supervisor will document the request, including: the employee's name and position; the date of the request; any details provided by the employee; and any accommodation options suggested by the employer or employee.

The supervisor may request supporting documentation from the employee in order to identify accommodation needs and options (e.g. details of restrictions or limitations).

The supervisor will consider accommodation options including, but not limited to: workstation adjustments; reassignment of job tasks; changes to scheduling or hours of work; leaves of absence; and temporary or permanent reassignment.

The supervisor will discuss available accommodation options with the employee. The accommodation preferences of the employee will be taken into account. However, the supervisor may proceed with an option that is less costly or easier to provide, when it meets the employee's accommodation needs. The supervisor will clearly communicate the reasons for their decision to the employee.

The supervisor will review the accommodation measures with the employee on a regular basis to confirm they continue to be necessary and effective.

If the available accommodation options raise the likelihood of causing undue hardship, the supervisor will refer the matter to the Human Resources Manager for decision.

The Human Resources Manager will ensure that all accommodation options short of undue hardship have been considered prior to refusing accommodation. If a request for accommodation is denied, the Human Resources Manager will clearly communicate the reasons why to the employee.

Providing Information

The supervisor or Human Resources Manager may require more information related to the accommodation request, in the following circumstances:

- Where the accommodation request does not clearly indicate a need related to a *Code* ground.
- Where more information on the employee'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. Any costs associated with obtaining such expert advice will be borne by Universal Fabricating.

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

The Human Resources Department 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.

Monitoring Accommodations

The supervisor and the person receiving accommodation will monitor the success of the Accommodation Plan and promptly address any deficiencies or any relevant changes in the workplace or the employee's needs.

Appeals

If an employee or applicant has been denied accommodation, is not satisfied with the accommodation offered, or believes that their request has not been handled in accordance with this policy, they may request a second opinion from the President of the company.

An employee or applicant may also file a discrimination complaint with the Canadian Human Rights Commission and the Ministry of Labor Ontario.

Privacy and Confidentiality

All records associated with accommodation requests will be maintained in a secure location and will only be shared with persons who need the information.

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Review

The Human Resources Manager will review this policy and related procedures on an annual basis, or as required, and will make adjustments as necessary to ensure that it continues to meet the needs of all employees.

Inquiries

Inquiries about this policy and related procedures can be made to the Human Resources Manager.

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