



# DISABILITY ACCOMMODATION GUIDELINES

FOR UNIVERSITY OF WATERLOO EMPLOYEES

**Waterloo is committed to making every reasonable effort to assist all employees with disabilities when they require accommodation in the workplace.**

This approach is consistent with the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act and the Workplace Safety and Insurance Board.

The most appropriate accommodation is one that respects the dignity of the individual with a disability, meets individual needs, promotes integration and full participation, and ensures confidentiality. The accommodation process is a shared responsibility between the employee, manager and the University. For a successful accommodation, it is necessary for everyone involved to co-operatively engage in the process, share relevant information and collaborate on potential accommodation solutions. At the University, this accommodation process is facilitated by the Disability Management Team, consisting of the Disability Advisor, and Occupational Health.

# REQUEST FOR ACCOMMODATION

Employees may request an accommodation of their job at any time. The process typically begins with the employee notifying the University – usually the manager, Disability Advisor or Occupational Health Nurse that they cannot perform the essential duties of their job without accommodation due to their disability. Once received, all requests should be referred to Occupational Health.

If you are returning to work from a sick leave absence, please refer to the Disability Management Guide ([uwaterloo.ca/human-resources/support-employees/absences-work/disability-management](http://uwaterloo.ca/human-resources/support-employees/absences-work/disability-management)), which can be found on the Human Resources website under Absence and Accommodations. If your accommodation request is related to a workplace injury, you must notify your supervisor and submit an incident report ([uwaterloo.ca/safety-office/emergency-procedures/incident-and-hazard-reporting](http://uwaterloo.ca/safety-office/emergency-procedures/incident-and-hazard-reporting)) to the Safety Office.

# MEDICAL DOCUMENTATION

Occupational Health reviews all accommodation requests due to a medical need. Occupational Health will work with the employee to determine appropriate identifiable, verifiable medical documentation required to support a disability accommodation request. This documentation will be reviewed by Occupational Health – all information is held strictly confidential; only functional information is shared with the manager to assist in developing appropriate accommodation solutions.

# PROCESS

## STEP 1

### Accommodation Requested

- › Employee completes the Request for Accommodation Form ([uwaterloo.ca/occupational-health/our-services](http://uwaterloo.ca/occupational-health/our-services)) and submits it to Occupational Health for review.
- › Occupational Health reviews relevant documentation submitted by employee and contacts employee for further discussion and determine if additional information is needed, including medical documentation.
- › Occupational Health contacts the department manager/dean (in-person or via phone) as necessary, to obtain information related to employee's job requirements and job duties to determine areas of workplace accommodations required.
- › Once all relevant information is gathered, Occupational Health will reach out to stakeholders as needed (e.g. Safety Office, Human Resources, Plant Operations, IST, etc).

## STEP 2

### Accommodation Recommendation

- › Occupational Health provides medically verified restrictions/limitations and its duration, in writing, to department manager/dean.
- › The department compares the information with current job demands and develops appropriate actions/solutions, guided by the Disability Management Team, the Human Resources Partner, and relevant stakeholders as necessary to aid in the accommodation process.

## STEP 3

### Accommodation Solutions Reviewed

- › Occupational Health will arrange for a discussion with the employee and all relevant stakeholders to review the functional abilities, accommodation possibilities, clarify the expected duration of accommodation, identify any non-medical issues that may require follow-up, assign responsibilities and determine next steps.
- › In some cases, more than one conversation is required before the accommodation can be put into place and ready for the employee.

## **STEP 4**

### **Accommodation Agreement Signed**

- › The manager/dean and employee will sign the accommodation agreement. A copy will be given to each participant in order to avoid any future misunderstanding. A copy of this document will also be retained by the Disability Management Team.
- › In some cases, the accommodation process may not require an in-person meeting, but instead may be accomplished by emails/phone calls. A signed accommodation agreement is still required.

## **STEP 5**

### **Solution Monitoring**

- › Accommodations require regular monitoring and reassessment. Monitoring schedule is determined on a case-by-case basis.
- › To support ongoing accommodations, an annual review is conducted. Updated medical documentation may be required, at the direction of Occupational Health.
- › The department or the employee should contact Occupational Health immediately if they believe the functional abilities have changed.
- › If the employee changes roles or positions during their accommodation, a review of the accommodation agreement must be completed and revised to be reflective of the roles and responsibilities of all current parties.

# ROLES AND RESPONSIBILITIES

## The employee is required to:

- › Advise the University of the need for accommodation.
- › Work with Occupational Health to answer questions and/or provide information regarding their functional abilities and/or limitations, including relevant information from health care professionals as needed.
- › Participate in discussions regarding possible accommodation solutions.
- › Co-operate with the accommodation process by working collaboratively with the manager/dean, Human Resources, Occupational Health, etc.
- › Provide written documentation to the manager/dean for declining any reasonable accommodation offer to perform the essential duties of their job.
- › Provide new medical information to support any changes to accommodation need.
- › Request participation from their Union or other representative from the workplace directly, and notify the University that such request has been made (to ensure all stakeholders are identified during the accommodation process).

## The manager/dean is required to:

- › Review (through correspondence from Occupational Health) and consider the employee's request for accommodation.
- › Notify the Disability Management Team of an accommodation request when received.
- › Take an active role in ensuring that alternative approaches and possible accommodation solutions are investigated as part of the duty to accommodate.
- › Identify the essential duties of the position.
- › Keep a record of the accommodation request and actions taken.
- › Maintain confidentiality. Unless impacted or otherwise required, workplace accommodations do not need to be shared with colleagues, peers, or others.
- › Grant accommodation requests in a timely manner, to the point of undue hardship.  
Note: Test of undue hardship can only be determined in consultation with the Provost.
- › Facilitate the implementation of accommodation solutions (e.g. adjustment of scheduling, installation of equipment, workspace/furniture changes, etc.). Bear the cost of any equipment/software/furnishings required as part of the accommodation solution.
- › Notify the employee and all relevant parties if the department is unable to continue with the agreed upon accommodation solution.
- › If unable to accommodate, inform the employee in writing, and notify the Disability Management Team, capturing reasons for any denied accommodation plan.

## **The Occupational Health Nurse is required to:**

- › Meet with the employee in a timely manner to discuss the accommodation request
- › Provide guidance to the employee on required documentation to medically verify the need of accommodation and relative restrictions/limitations to consider when formulating accommodation solutions.
- › With consent from the employee, discuss restrictions/limitations with their care provider in order to assist in developing appropriate accommodation solutions in the workplace.
- › Obtain additional expert opinion (e.g. Safety Office, Human Resources, outside medical expert,etc) as needed in formulating accommodation solutions.
- › Facilitate discussions between all stakeholders to develop a reasonable accommodation solution.
- › Maintain accurate records of the accommodation process, decisions made, and outcomes.
- › Hold all personal information confidential.
- › Facilitate annual review of accommodation and obtain update medical information, as necessary.

## **Human Resources is required to:**

- › Facilitate administration of sick leave benefits, should accommodation solution require it.
- › Upon consultation, advise employee and manager/dean on impacts of accommodation solution on other employee benefits, as applicable.
- › Upon consultation, advise manager/dean of impacts on organizational structure, collective agreements or employment implications, if any, as a result of the accommodation solution.

## **The union, staff and faculty associations are required to:**

- › Take an active role as partners in the accommodation process, share joint responsibility with the employer to facilitate accommodation, including supporting accommodation measures that are responsive to the individuals needs.
- › Provide a staff/faculty representative to accompany the member to meetings and otherwise support them as the member wishes.
- › Support members through the process of seeking accommodations.

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