

<b>STATEMENT of POLICY and PROCEDURE</b>			
Chapter:	Human Resources	SPP No.	<b>HR 5.18.ON</b>
Section:	Employee Relations Policies	Issued:	Dec. 16, 2019
Subject:	<b>ACCOMMODATION on the BASIS of FAMILY STATUS</b>	Effective:	Jan. 1, 2020
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## **1 POLICY**

- 1.01 Where an employee has made reasonable efforts to find alternative solutions to meet family status obligations (obligations that engage the employee's legal responsibility for that family member), and no such alternative solution is reasonably accessible, and where a workplace rule interferes in a manner that is more than trivial or insubstantial with the fulfilment of the employee's family status obligations, an employee may make a request, in writing, for an accommodation for needs related to family status. The **Community Resource Centre** will try to accommodate the employee, to the point of undue hardship, in accordance with its obligations under the *Human Rights Code* (Ontario) and the *Employment Standards Act, 2000* (Ontario). Where an accommodation would cause undue hardship, the **Community Resource Centre** will implement the next best accommodation short of undue hardship.
- 1.02 All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.

## **2 PURPOSE**

- 2.01 The purpose of this Statement of Policy and Procedure is:
- (a) to state **the Community Resource Centre's** commitment to preventing and/or correcting direct or indirect discrimination against employees on the basis of family status;
  - (b) to accommodate persons on the basis of family status in accordance with the obligations under Ontario legislation; and
  - (c) to establish a process by which persons may request accommodation on the basis of family status.

## **3 SCOPE**

- 3.01 This policy applies to all employees.

## **4 RESPONSIBILITY**

- 4.01 Each supervisor is responsible for ensuring the principles outlined in this Statement of Policy and Procedure are adhered to throughout all business activities for which they are responsible.
- 4.02 The employee requesting an accommodation for family status obligations is responsible for making reasonable efforts to meet those family status obligations through reasonable alternative solutions prior to requesting an accommodation and demonstrating, if requested, what reasonable efforts have been made.

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## 5 DEFINITIONS

- 5.01 **“Family status”** means the status of being in a parent and child relationship, and includes parent and child “type” relationships based on blood or adoption, or on care, responsibility and commitment, and includes parents caring for children and employees caring for aging parents.

## 6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

*Employment Standards Act, 2000* (Ontario) and Regulations  
*Human Rights Code* (Ontario)  
 SPP HR 2.01.ON — Employment Principles  
 SPP HR 4.04.ON — Personal Leave of Absence  
 SPP HR 4.05.ON — Pregnancy Leave  
 SPP HR 4.06.ON — Parental and/or Adoption Leave

## 7 PROCEDURE

- 7.01 An employee who needs to raise a potential accommodation issue shall do so by submitting a written request for accommodation to their immediate supervisor. The request should:
- describe the limitations that may be caused by their job and that are more than trivial or insubstantial that prevent the employee from performing their family status obligations;
  - describe any accommodation(s) sought;
  - provide sufficient information to confirm the existence of a need for accommodation, including what reasonable efforts the employee has made to find an alternative solution.
- 7.02 When necessary to facilitate the assessment and determination of a reasonable accommodation, the employee may be required to provide relevant information to the **Community Resource Centre**. Employees seeking accommodation on the basis of family status are expected to fully cooperate in providing any information relevant to the determination of the accommodation request.
- 7.03 The supervisor and the **Executive Director** will jointly assess the accommodation issue in light of the information provided and the individual needs of the employee. During the assessment phase, the **Community Resource Centre** reserves the right to require further information, including relevant information or opinions that will assist the **Community Resource Centre** to determine if a reasonable accommodation can be achieved and how it can be achieved. If necessary, the employee will be required to participate in the development of an accommodation plan.

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- 7.04 The supervisor and **Executive Director** will jointly finalize a decision regarding the accommodation issue. The supervisor shall notify the employee, in writing, of the decision and the reason(s) for the decision.
- 7.05 If the employee is not satisfied with the written decision regarding the request for accommodation, the employee may appeal the decision to the **Executive Director** for further review. The decision of the **Executive Director** shall be final and binding upon the parties.
- 7.06 The **Community Resource Centre** shall ensure that the employee's personal information, or the personal information of their family members, shall be kept confidential and will only be disclosed as is necessary in the assessment and development of the accommodation in accordance with SPP HR 5.07.ON — Personal Information Protection.
- 7.07 The family status of employees and/or individual accommodation plans will not have a negative impact on employees in the management of an employee's performance or career advancement.