DISABILITY ACCOMMODATION IN THE WORKPLACE

Policy Authority: General Counsel & University Secretary

Associated Procedure(s): Disability Accommodation in the Workplace Procedures

EXECUTIVE SUMMARY

This policy responds to the University’s obligations under British Columbia’s Human Rights Code to accommodate employees with disabilities and assigns responsibility for overseeing those obligations to the Director, Wellness and Recovery.

TABLE OF CONTENTS

1.0 PREAMBLE ........................................................................................................ 1
2.0 PURPOSE .......................................................................................................... 2
3.0 SCOPE AND JURISDICTION .................................................................................... 2
4.0 DEFINITIONS ..................................................................................................... 2
5.0 POLICY ............................................................................................................ 2
6.0 ROLES AND RESPONSIBILITIES ................................................................................ 2
7.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS ........................................... 3
8.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY ............................................. 3
9.0 RETENTION AND DISPOSAL OF RECORDS .............................................................. 3
10.0 POLICY REVIEW ............................................................................................ 3
11.0 POLICY AUTHORITY ........................................................................................ 3
12.0 INTERPRETATION ............................................................................................. 4
13.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS ................................................... 4
1.0 PREAMBLE

1.1 Simon Fraser University (“the University”) is committed to providing an employment environment in which persons with disabilities:

1.1.1 have equitable access to opportunities;

1.1.2 may participate fully in the range of activities offered by the University; and

1.1.3 are able to achieve their full potential as members of the University community.

2.0 PURPOSE

2.1 This policy responds to the University’s obligations under the British Columbia Human Rights Code to accommodate persons with disabilities.

3.0 SCOPE AND JURISDICTION

3.1 This policy applies to all employees of Simon Fraser University.

4.0 DEFINITIONS

4.1 See Appendix A for the definitions of words used in this policy and its associated procedures.

5.0 POLICY

5.1 The needs of persons with disabilities shall be accommodated in a manner that respects their dignity and right to privacy.

5.2 The duty to accommodate is a responsibility that rests jointly with the employee, the union or employee association, and the University.

5.3 The primary focus of this policy is to enable employees to perform the essential duties of their, or a similar position.

5.4 This policy will be implemented in accordance with its associated procedures.

6.0 ROLES AND RESPONSIBILITIES

6.1 Employees who apply for accommodation while absent from their work at the University due to long term disability or sick leave will consult the Director, Wellness and Recovery, who may carry out one or more of the following roles within the terms of this policy:

6.1.1 receive, review, and retain medical documentation provided by the employee requesting accommodation;
6.1.2 make recommendations or decisions regarding accommodation;

6.1.3 on the request of the employee or constituency organization, review the accommodations that are in place to determine whether they are appropriate; and/or

6.1.4 liaise with supervisors to identify and secure the funding necessary to provide the accommodation.

6.2 Continuing employees seeking accommodation for disability, but who are not on sick leave or long-term disability, are referred to the Director, Wellness and Recovery, who may carry out one or more of the roles as specified in sections 6.1.1 to 6.1.4.

7.0 RELATED LEGAL, POLICY AUTHORITIES AND AGREEMENTS

7.1 The legal and other University Policy authorities and agreements that may bear on the administration of this policy and may be consulted as needed include but are not limited to:

7.1.1 University Act, R.S.B.C. 1996, c. 468

7.1.2 Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165

7.1.3 Human Rights Code, R.S.B.C. 1996, c. 210

7.1.4 Human Rights Policy (GP 18)

8.0 ACCESS TO INFORMATION AND PROTECTION OF PRIVACY

8.1 The information and records made and received to administer this policy are subject to the access to information and protection of privacy provisions of British Columbia’s Freedom of Information and Protection of Privacy Act and the University’s Information Policy series.

9.0 RETENTION AND DISPOSAL OF RECORDS

9.1 Information and records made and received to administer this policy are evidence of the University’s actions to accommodate disability in the workplace. Information and records must be retained and disposed of in accordance with a records retention schedule approved by the University Archivist.

10.0 POLICY REVIEW

10.1 This policy must be reviewed every five years and may always be reviewed as needed.

11.0 POLICY AUTHORITY
11.1 This policy is administered under the authority of the General Counsel and University Secretary.

12.0 INTERPRETATION

12.1 Questions of interpretation or application of this policy shall be referred to the University Secretary, whose interpretation is final.

13.0 PROCEDURES AND OTHER ASSOCIATED DOCUMENTS

13.1 Appendix A contains the definitions applicable to this policy and its associated procedures.

13.2 The procedures for this policy are: Disability Accommodation in the Workplace Procedures.