Workplace Accommodations Information Session  
January 13, 2022  
CUPE 3903

Agenda  
Introductions  
Workplace Accommodations Procedures  
Medical Documentation  
Examples of Workplace Accommodations  
Accommodations & Covid-19  
Family Status Accommodations  
Question & Answer Period

Additional Information:  
Workplace Accommodations and your Collective Agreement  
The Duty to Accommodate  
The Role of your Union  
Your Responsibilities as an Employee

Workplace Accommodations Procedures  
Member or their representative contacts Employee Well-Being (EWB)  
EWB follows up with member and either  
Requests an intake meeting to assess accommodation needs, or  
Sends member a list of questions to have their medical practitioner fill out  
Once EWB receives medical documentation they may  
Request a meeting with the member to discuss accommodation needs, or  
Begins developing a workplace accommodation plan  
EWB will then contact the Associate Dean and the Hiring Unit to inquire about adjustments to job duties, implementation of accommodations and/or work availability (no disclosure of disability or medical information to either the Hiring Unit, Course Director, or Associate Dean)

Workplace Accommodations Procedures  
EWB will then draft an Accommodated Work Plan (AWP) for the member and send it to the member (and union representative if requested by member)  
The member will review the AWP and, if appropriate, sign the AWP  
(If the AWP does not meet member needs fully, they are encouraged to contact CUPE 3903 Equity Officer)  
Once the plan is signed and submitted to EWB, the Associate Dean appoints someone to monitor the implementation of the AWP  
Accommodations are reviewed and renewed on an annual basis

Medical Documentation  
Members will need to submit a formal letter to EWB (historically Medical Accommodations & Absence Certificate)  
This letter should:  
Outlines the nature of your medically documented disability, including whether it is temporary, permanent, episodic, without disclosing diagnosis  
Outlines your accommodation needs that arise from the disability/impacts of disability that give rise to specific accommodation needs   
Outlines accommodations that you require and that the Employer can provide that would allow for you to complete the essential duties/requirements of the job

Medical Documentation  
Standard Accommodation Questions provided by EWB  
In order to support your patient and review reasonable accommodation options, we are in need of specific information regarding their functional restrictions and limitations (i.e. limited walking, lifting, concentration, social interaction etc.). To this end, kindly provide your response to the following:   
Kindly advise on the nature of condition(s) for which limitations are present. (NOTE: Diagnosis information is not being requested)   
Please advise on your patient’s functional limitations (e.g. walking, concentration, social interaction, sitting etc.) related to their medical condition(s), both including physical and cognitive. Please indicate duration or weight for any physical limitations such as sitting, walking or lifting.   
Kindly advise on the prognosis of aforementioned limitations.   
If applicable, kindly comment on any medical contraindications we need to be aware of in determining a suitable and reasonable accommodation to support your patient to participate in their role at York University  
Please indicate any additional comments, as applicable.

Examples of Workplace Accommodations  
Modified job duties  
Making changes to the building or moving class to another building  
Providing alternative ways of communicating with the employee  
ASL interpretation, Captioning, follow up by phone call  
Allowing for more training, or training that is delivered in a different way  
Modifying break policies   
Allowing a flexible work schedule  
Flexible timelines/deadlines

Examples of Workplace Accommodations  
Extended time for completing particular tasks  
Access to certain technologies/limit use of or non-use of certain technologies  
Marker/grader support  
Alternative work

Accommodations & Covid-19  
Work from home accommodations related to disability; individual accommodations process through EWB  
Family Status accommodations due to caregiving responsibilities or living with someone who is at high risk of severe outcomes - negotiated through the Office of the Associate Dean for Fall 2021, Winter 2022 through EWB  
Accommodations on the basis of religious beliefs  
Vaccine exemption on medical grounds

Family Status Accommodations  
Family status accommodations are usually associated with caregiving needs  
Employers have a duty to accommodate people whose work obligations interfere with their family obligations/responsibilities  
The types of family obligations that are protected are parent-child relationships, legal guardianship, or extended family responsibilities.  
Changes in scheduling, location of work, flexible work hours, leaves of absence for family care, and alternative work assignments are all examples of possible family status accommodations  
To apply for Family Status Accommodations whether COVID-19 related or not, members will need to complete the Family Status Accommodations form and email it to Employee Well-Being at the following email address: famsacc@yorku.ca

Workplace accommodations & your CA  
Article 4.01:   
The Employer will provide reasonable accommodations as required for persons with disabilities. Proposed Work Accommodation Plans will normally be implemented within thirty (30) days following the provision of all necessary medical documentation and developed with the participation of the employee with the goal of addressing the barriers.

Workplace Accommodations and your CA  
Article 15.25 for U1 & U2, Article 11.11 for U3, Article 18.03 for U4:  
ACCOMMODATION The parties acknowledge their duty to accommodate persons with disabilities in the manner and to the extent required by the Ontario Human Rights Code . The parties agree that this means accommodating disabled employees to the point of undue hardship if such accommodation will enable the employee to perform the essential duties of his/her position . An employee with whom an accommodation is being discussed may have a union representative present during any such discussions.

Ontario Human Rights Commission - Duty to Accommodate  
Duty to accommodate has a substantive and procedural component  
OHRC states that the process (procedural component) by which accommodations are assessed are as important as the accommodations themselves (the substantive component)

Ontario Human Rights Commission - Duty to Accommodate  
Principles for accommodation:  
Respect for Dignity  
Individualization  
Integration and Full Participation  
Distinction between needs and preference

The role of your union  
Advise you of your Collective Agreement Rights  
Support you in navigating the EWB bureaucracy/family status accommodations process  
Join you in meetings with EWB  
Advocate on your behalf, using consent based practice  
Support with follow up if your accommodations are not being implemented by the Hiring Unit

Your responsibilities as an employee  
Engagement with the accommodations process  
Provide documentation as needed  
Advise EWB of changes/changing needs as they arise (or as soon as is possible)  
Renew accommodations annually

Q & A

Email: cupe3903equity@gmail.com