



Title: **ACCOMMODATION POLICY**

Policy No.: 1011

Effective Date: 2021 June 10

Department: Organizational Support Services – Human Resources

References: Ontario Human Rights Code  
Ontario Human Rights Commission, “Policy and Guidelines on Disability and the Duty to Accommodate”  
TVDSB Guidelines for the Accommodation of Gender Diverse and Trans Students and Staff  
Religious and Creed-Based Accommodation of Staff Procedure 2022b  
Harassment Policy and Procedure 3004 and 3004a  
Accommodation Procedure NEW  
Workplace Safety and Insurance Act  
Applicable Collective Agreements and Employment Terms

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It is the policy of the board to provide an environment that is inclusive and that is free of barriers based on age, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (including pregnancy and gender identity), sexual orientation, record of offences, marital status, family status, and disability. TVDSB commits to providing accommodation for needs related to the grounds of the Ontario Human Rights Code (Code), unless to do so would cause undue hardship. Accommodation will be provided in accordance with the principles of dignity, individualization, and inclusion. TVDSB will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

### **1.0 Protected Grounds**

Identified protected grounds and definitions shall be as defined by the Ontario Human Rights Commission <http://www.ohrc.on.ca/en>.

Ontario Human Rights Code protected grounds are:

- Age
- Ancestry, colour, race
- Citizenship
- Ethnic origin
- Place of origin
- Creed
- Disability
- Family status
- Marital status (including single status)
- Gender identity, gender expression
- Receipt of public assistance (in housing only)
- Record of offences (in employment only)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation

Administered by:	Organizational Support Services – Human Resources
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Amendment Date(s):
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## 2.0 Definitions

### Disability:

The TVDSB Accommodation Policy and Procedure adopt the definition of disability set out in Section 10 of the Ontario Human Rights Code, recognizing that this list of conditions is merely illustrative, not exhaustive, and that “disability” must be defined broadly:

- 2.1 any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis amputation, lack of
- 2.2 physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- 2.3 a condition of mental impairment or a developmental disability,
- 2.4 a learning disability, or dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- 2.5 a mental disorder, or
- 2.6 an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*.

## 3.0 Purpose

The purpose of this Accommodation Policy and its accompanying Procedure is to:

- Ensure that all staff of TVDSB are aware of their rights and responsibilities under the Ontario Human Rights Code with respect to accommodation;
- Set out in writing the organization’s procedures for accommodation and the responsibilities of each of the parties to the accommodation process.

## 4.0 Application

This Policy and Procedure applies to all staff, including full-time, part-time, temporary, casual, as well as those who work to gain experience or for benefits, such as volunteers, co-op students, interns and apprentices. It also applies to individuals who are applying for employment with the organization.

It applies at all stages and to all aspects of the employment relationship, including recruitment and selection, promotions and transfers, and conditions of work such as hours of work and leaves of absence.

## Accommodation Policy

All new and existing staff will be made aware of this Accommodation Policy and Procedure.

All job applicants will be notified of the Accommodation Policy and Procedure prior to the interview.

### **5.0 Duty to Accommodate**

Specific employment Terms and Conditions and/or applicable Collective Agreement language will be adhered to in assessing individual accommodation requirements, however, will not limit or restrict TVDSBs legal obligation regarding the duty to accommodate.