**Duty of Accommodate Procedure**

| Office of Administrative Responsibility: | Vice-Provost and Dean of Students  
Vice-Provost and Associate Vice-President (Human Resources) |
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<td>Approver:</td>
<td>Provost and Vice-President (Academic)</td>
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<td>Scope:</td>
<td>Compliance with this University procedure extends to all members of the University community</td>
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**Purpose**

Accommodation enables equitable participation in the areas of employment, tenancy, education, and access to other goods and services.

Accommodation should be provided in a manner that respects the dignity of the individual, meets the needs of that particular individual, promotes integration and full participation, and respects confidentiality.

Academic accommodation aims to ensure that members of the University community who would experience discrimination based on any of the protected grounds have reasonably equal access to services provided by post-secondary education. These services include but are not limited to course work, practicum and clinical placements, co-op placements, graduate internships, library services, athletic services, school teams, cafeteria services, parking and transport services, computing services, health services, counseling services and others.

The University is required to provide accommodation up to the point of undue hardship.

**PROCEDURE**

The duty to accommodate is an institutional obligation and a shared responsibility between the University and the member of the University community requiring accommodation. Any department or unit may be called upon to implement accommodation and the primary responsibility for considering and effecting an accommodation, up to the point of undue hardship, rests with the department or unit.

At all stages of the process of providing accommodation, timeliness is critical. Requests for accommodation will be considered on a case by case basis, and decisions will be made within a timeframe that is respectful of both individual needs and operational realities. Examples of accommodation measures and assessing undue hardship information can be found in a link at the end of this procedure.

1. **THE PERSON REQUIRING ACCOMMODATION IS RESPONSIBLE FOR:**
   a. Reviewing the University’s policy regarding accommodation, and in the case of an employee, the relevant provisions of any applicable collective or academic staff agreement;
b. Making his or her needs known to the best of his or her ability, preferably in writing, so that the person responsible for assessing and implementing accommodation may engage in a dialogue about possible accommodations;

c. Making timely disclosure of the request for accommodation, preferably before adverse consequences are experienced;

d. Answering questions or providing information about relevant restrictions or limitations, including information from health care professionals, where appropriate, and as needed;

e. Participating in discussions about possible accommodation solutions;

f. Cooperating with any experts whose assistance is required to manage the accommodation process;

g. Meeting agreed upon performance standards once accommodation is provided;

h. Working with the accommodation provider in an ongoing manner to manage the accommodation process.

2. THE UNIVERSITY IS RESPONSIBLE FOR:

   Responding to a request for accommodation in a timely and constructive way. The duty to accommodate is triggered when the individual requiring accommodation makes the request, or in the case of an unreported disability, when the University should reasonably have known that the individual suffered from a disability requiring accommodation.

   Once aware that accommodation is, or may be, required, the appropriate University representative is responsible for:

   a. Requesting from the individual in need of accommodation whatever medical or other information is reasonably necessary to assess the need for accommodation and to identify sufficiently that individual’s specific needs. Assistance may be requested from offices including but not limited to:

      i. For student queries – Student OmbudService (SOS) or Specialized Support and Disability Services (SSDS)

      ii. For academic and support staff queries - Health Promotion and Worklife Services (HPaWS)

      iii. If unsure, initial queries for members of the University community may be made to – Office of Safe Disclosure and Human Rights (OSDHR).

   b. Considering the specific needs of the individual, in consultation with SSDS, HPaWS and/or OSDHR as appropriate, determine what accommodation (short of undue hardship) can be made in order to allow the individual to continue in employment, studies, research or other activities and to access the facilities and services of the University.

   c. If the accommodation under consideration may impinge upon or conflict with:

      i. The terms of the staff agreements for APOs, Librarians, Sessional or Other Temporary Staff, Trust/Research Academics, agreements for excluded support staff or the NASA collective agreement, then the Employee Relations unit (in Human Resource Services) should be consulted for advice, assistance or input.

      ii. The terms of the agreements with postdoctoral fellows, graduate teaching/research assistants, AASUA Faculty, Contract Academic Staff, Teaching or Faculty Service Officers, then the Faculty Relations office (in the Office of the Provost & Vice-President Academic) should be consulted for advice, assistance or input.

      iii. The qualifications, educational program requirements or performance standards set by the University’s governing bodies, then the Office of the Dean (or delegate) for the Faculty should be consulted for advice, assistance or input.
d. Doing what is required to provide accommodation to support an individual affected by discrimination, to the extent required by the law. For example, exceptions will be made for certain types of permissible discrimination recognized under the Alberta Human Rights Act such as age and marital status discrimination permitted for pension plans.

3. ALTERNATE AVENUES OF COMPLAINT

If it is determined that other avenues of complaint/appeal may be more appropriate, guidance will be provided to the complainant by SOS, SSDS, HPaWS or OSDHR as to the options available for consideration.

4. DOCUMENT RETENTION

a. When produced, the University, through the offices of SSDS or HPaWS or the employee’s home department or unit, will retain written records, according to the University’s retention schedule and in accordance with legislation, of the:
   i. request for accommodation, and the date required,
   ii. options considered,
   iii. form of accommodation offered to the affected individual and her or his response, and
   iv. date the accommodation request was concluded, if applicable.

5. PRIVACY

The University will respect the individual’s dignity and privacy throughout the accommodation process, subject to such reasonable exceptions as are necessary to assess and implement accommodation. Exceptions to privacy may arise when the safety of individuals is at risk or if disclosure is required by law. The University will provide details of the accommodation to those who need to know, and will consult with the individual who has sought accommodation about those disclosures.

6. APPEALS

When efforts to arrange accommodation at the Department or Unit level are unsuccessful, a review may be conducted by the Dean (or delegate) of the relevant Faculty and the offices of administrative responsibility for this policy (see page 1 of this procedure). Seeking such advice as is necessary, they will determine whether accommodation can be made at an institutional level.

If it is determined that other avenues of complaint/appeal would be more appropriate, guidance will be available from the Office of Safe Disclosure and Human Rights or Student OmbudService on any internal or external options.

DEFINITIONS

Definitions should be listed in the sequence they occur in the document (i.e. not alphabetical).

<table>
<thead>
<tr>
<th>Definitions listed in the following table apply to this document only with no implied or intended institution-wide use.</th>
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<td><strong>Members of the University Community</strong></td>
<td>All employees, (including but not limited to, academic staff, support staff and administrators), adjunct professors, professors emeriti, lecturers, clinical staff, all students (including undergraduate students and graduate students) and post-doctoral fellows.</td>
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### Accommodation

Accommodation is the process of making reasonable adjustments to the delivery of services and the conditions of employment in order to reduce or eliminate the impact of discriminatory rules, policies, practices, standards, terms of employment, or decisions, which have an adverse impact on an individual or group of individuals based on a characteristic or perceived characteristic referenced in the Protected Grounds. Accommodation is a shared responsibility between the University and the individual in need of accommodation, and is assessed on the unique circumstances of each individual. The process requires reasonable accommodation, not instant or perfect accommodation. The recipients of accommodation (e.g. students and staff) may be required to try different accommodation options. The University is required to provide reasonable accommodation up to the point of undue hardship.

All students are bound by the Code of Student Behaviour. Accommodation of students neither requires nor implies that the University lower its academic standards. Nor does accommodation relieve the student of that student’s responsibility to develop the essential skills and competencies required by programs.

### Undue Hardship

The University has a duty to take reasonable steps to accommodate individual needs to the point of undue hardship. Undue hardship occurs when accommodation would create onerous conditions for the University.

While undue hardship will be decided in the circumstances of each case, onerous conditions, including but not limited to the following, should be considered:

- a) when there is a risk to the safety of others or a substantive risk of personal injury to the person seeking accommodation.
- b) when financial cost is such that a program or service would cease to exist due to the financial burden of the accommodation, or other circumstances where it would be unreasonable to expect the University to bear the costs of accommodation.
- c) When accommodation alternatives would result in lowering performance standards or in substantive job requirements being unmet.
- d) When the accommodation would be unduly disruptive to an academic staff or collective agreement or cause substantial detrimental effect on other employees.
- e) When an educational accommodation would result in essential elements of a service or a program not being offered to other students, or cause a detrimental effect on other students, as a result of accommodating an individual or a group of students.

Accommodation of students neither requires nor implies that the University lower its standards nor does accommodation relieve the student of their responsibility to develop the essential skills and competencies required by programs.
Duty to Accommodate

The duty to accommodate obligates the University to make reasonable adjustments, to the point of undue hardship or as required by law, to the delivery of services (including teaching and the method of evaluation) and the conditions of employment in order to reduce or eliminate the impact of discriminatory rules, policies, practices, standards, terms of employment, or decisions, which have an adverse impact on an individual or group of individuals based on a characteristic or perceived characteristic referenced in the Protected Grounds.

Protected Grounds

Discrimination is prohibited based on the following protected grounds:

- race
- colour
- ancestry
- place of origin
- religious beliefs
- gender (including pregnancy and gender identity)
- physical disability
- mental disability
- marital status
- family status
- source of income
- sexual orientation
- age
- political beliefs;

or any other groups as amended from time to time.

Discrimination

A distinction, whether or not intentional, based on a characteristic or perceived characteristic referenced in the Protected Grounds that has the effect of imposing on an individual or group of individuals burdens, obligations or disadvantages that are not imposed on others, or of withholding or limiting access to opportunities, benefits and advantages available to other individuals in society.

FORMS

Should a link fail, please contact uappol@ualberta.ca. [▲Top]

No Forms for this Procedure

RELATED LINKS

Should a link fail, please contact uappol@ualberta.ca. [▲Top]

The following links are resources to assist with the application:

Examples of Accommodation Measures and Assessing Undue Hardship (University of Alberta)

Alberta Human Rights Act (Government of Alberta)

Sample Form – Notification of Need for Accommodation, Clarification of Need and Outcome of Accommodation Request (Canadian Human Rights Commission)
Reasonable Accommodation Fund (University of Alberta)

Financial Resources (University of Alberta)