



Accommodations at Work for Persons with a Disability

An Employer's Basic Guide



Introduction

The Canadian population is increasingly diverse and constantly evolving. Employers want to find the best candidates for the jobs they create and they want to hire people that have all the skills that will keep their businesses growing and succeeding in an increasingly competitive economy. Consequently, employers must recognize the importance of recruiting a diverse and inclusive workforce.

In many organizations, a particular minority group that is often ignored and overlooked is: *persons with a disability*. Significant barriers exist for those skilled individuals who wish they had the chance to show and reach their full potential. Fortunately, these obstacles are surmountable when one can raise awareness and educate others about persons with a disability and the many benefits they bring.

Persons with a disability are like any other worker; they have unique strengths, limitations and abilities, defining them as individuals, and as workers. Most of the time, they do not ask for more than other employees, but sometimes they need something in place in order for them to do their job effectively and to successfully fit in with the company. An interesting and beneficial solution exists: *accommodations*.

One of the most common and easy accommodation is to show some flexibility around job requirements. Often an individual with a disability can perform all of the most important job requirements, but may have to work in an alternate way, on a different schedule, or perhaps with some assistance. With some flexibility and understanding by the employer, that person can do the job.

For many employers, the term *workplace accommodation* seems mysterious and scary, especially as the myths about accommodations show that they are expensive and hard to implement. However, when one understands what an accommodation is, it is easy to realize that they are not complex, nor necessarily costly. Accommodations can make a huge difference for the employee, while contributing to the proper functioning of the business. This document therefore wishes to provide additional and relevant information on accommodations in the workplace and to demonstrate the appropriateness of applying such a solution by demystifying the myths surrounding them.

1. What is accommodation?

Before going any further, one must understand what an accommodation at work is. It relates to the integration of procedures, equipment or technology that allow employees to meet the objectives of a job, while being productive and effective in their functions¹.

¹ The term "adaptation(s)" can also be used when referring to accommodation(s).



Accommodations can be useful for any employee, not just the ones with a disability. According to studies, a large number of persons with a disability who are currently employed require no special workplace accommodations². Besides, many employers already accommodate their employees without realizing it. For instance, allowing a parent to leave earlier to pick up his/her children at daycare or providing an ergonomic chair are techniques of accommodation. Another illustration of an accommodation is an employee with diabetes that may need time during the day to eat or take medication to properly manage his/her blood sugar levels. An employer may accommodate this need by scheduling several short breaks throughout the day for that employee.

In short, those employers who do not hesitate to put into place accommodations for their employees can recognize the long term benefits and satisfaction of their employees. Accommodations put into place for persons with a disability are not really that different from what one usually sees in the workplace.

One must also understand that there are many types of accommodations and each employee may require different actions depending on his/her situation. No universal accommodation is appropriate for all types of disabilities or even for a specific disability, as none is for persons without a disability. The employer, in collaboration with the employee, should be open and creative to find the best solution for both parties and one of the keys to success is effective communication⁴. Undeniably, the implementation of accommodations has a higher success rate if both parties work together to determine the best solution. Furthermore, it may also be recommended to involve other employees in the process so that the accommodation(s) come(s) as no surprise and that the staff is informed of the actions or items put in place⁵. It is also very important to remember that the accommodation process is ongoing and evolving as the position of the accommodated individual or the need for an accommodation may change which then could require modifications in the adaptations provided.

It is also very common for persons with a disability not to be aware of their rights or to not request adaptations because they fear it will lead to negative reactions towards them. If someone does not disclose a disability and request accommodations, the employer does not have a duty to accommodate. However, if the need is obvious and the employer judges that the person in question might need an

² Canadian Manufacturers & Exporters. *Taking Action: An HR Guide Hiring and Retaining Employees with Disabilities*, [Online], <http://on.cme-mec.ca/download.php?file=h6z1z1ea.pdf> (Page consulted June 10th, 2014)

⁴ Government of British Columbia, Minister's Council on Employment for Persons with Disabilities. *Recruiting and Retaining Persons with Disabilities in British Columbia*, [Online], <http://www.eia.gov.bc.ca/pwd/ministers-council/docs/Handbook.pdf> (Page consulted June 11th, 2014), p. 22.

⁵ Gouvernement du Canada, Ressources Humaines et développement des compétences. (2013). *Repenser l'incapacité dans le secteur privé: nous avons tous des capacités, certaines sont seulement plus apparentes que d'autres : rapport du Groupe de travail spécial sur les possibilités d'emploi des personnes handicapées*, [Online], http://epe.lac-bac.gc.ca/100/201/301/liste_hebdomadaire/2013/electronique/w13-05-U-F.html/collections/collection_2013/rhdcc-hrsc/HS64-21-2013-fra.pdf (Page consulted June 11th, 2014), p. 8.



accommodation, it is advantageous to open dialogue and inform the employee that the company is open to providing accommodations and would work with him/her in finding a solution without leading to negative repercussions toward the employee⁶.

Four criteria define whether the adopted measures are relevant and effective or not⁷:

1. Effectiveness: The accommodation put in place solves the issue, by letting the person do his/her work efficiently and according to the objectives of the job.
2. Transparency: The implemented measure has no adverse effect on other employees and improves the workplace.
3. Speed: The accommodation can be implemented in a reasonable timeframe.
4. Sustainability: The accommodation provided must be useful and flexible, so it can be modified if the situation changes.

Many employers, particularly those who run small businesses (less than 100 employees), are concerned about accommodating persons with a disability. These companies worry about their ability to accommodate, the human resources available to begin the process, and the financial aspect thereof. However, according to studies, small businesses are no less likely to succeed than large ones and both generally are very successful when implementing adaptation measures for individuals with a disability⁸.

Among the assistance available, one of the most important resources is the employee himself. Indeed, they know better than anyone their needs in terms of accommodations, and can collaborate with the employer to find effective solutions for both parties. Employers can also reach out for external help to make the accommodation process easier. Businesses may consult Employment Assistance Services providers or even health professionals (doctors, physiotherapists, occupational therapists, etc.), or other agencies that aid both employers and persons with a disability in the workplace.⁹

Establishing accommodations is an ongoing process requiring time, creativity and respect. There are different steps¹⁰:

1. Requesting the accommodation: The first step is for the individual to request the accommodation. The employer may also give suggestions if the employee does not ask for it and the need is obvious.
2. Identifying the employee's needs: Determine the employee's needs in terms of accommodations.
3. Performing an analysis of employment and duties: Employers must take the time to know the situation of the individual, in order to confirm that the adaptations envisioned correspond with the position's objectives.

⁶ Fondations communautaires du Canada : Conseil RH. *Diversité au travail*, [Online], <http://hrcouncil.ca/info-rh/diversite-handicapes.cfm> (Page consulted July 14th, 2014)

⁷ Le Conference Board of Canada. (April, 2013). *Leveling the Playing Field- Attracting, Engaging, and Advancing Persons with disabilities*, [Online], <http://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1292&context=edicollect> (Page consulted June 9th, 2014), p. 28.

⁸ Canadian Manufacturers & Exporters. *op.cit.*

⁹ *Ibid.*

¹⁰ *Ibid.*

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4. The potential for changes in the functions or duties of the job: Once an employer is willing to implement accommodations, he/she should consider the different options that apply to this particular situation. The first option is for the employer to see whether it is possible to simply make alterations in the usual tasks or duties of the employee.
Possibilities for changes in the work environment: A second option is to make changes in the employee's work environment.
 5. Equipment or resources available within the company: Another solution is to see if there are resources or equipment that may allow the employee to be accommodated and to meet the objectives of his/her position.
 7. Products available in the commercial market: If these options do not suit the two parties, it is possible to look for external resources by checking if there are products on the market that could be used to accommodate the individual. One can also be creative and create a new solution for the employee.
 8. Other possible solutions: After having listed the possible solutions, one must choose the one that is best for both parties.
 9. Attempt to accommodate: The employer puts into place the accommodation(s) and conducts tests with the employee to determine whether the taken measures meet the expectations of both parties.
 10. The implementation: When it is determined that the accommodation chosen is the right one, it is established on a permanent basis.
 11. Feedback: Keep contact with the employee to ensure the accommodation's effectiveness, while allowing the individual to do his/her job as required.

During the accommodation process, the employer and the employee both have important roles. First, the employer must consider the employee's request seriously. The adaptation should be established in a reasonable timeframe, and the company should provide a temporary alternative in the meantime. The employer should take the time to explore all available options prior to the implementation of an accommodation. If necessary, the employer should review and/or change the one(s) set in place, while respecting the confidentiality of the individual. It is also recommended that the employer keep records of the requests and actions taken.

The individual who requests the accommodation also has a crucial role to play. First, the employee should work closely with the employer to facilitate the process. For the employer to implement the better suited accommodation(s), necessary and relevant information must be shared. The employee should be open and consider every suggestion of an accommodation made by the employer and accept the appropriate and reasonable one(s). Once the accommodation(s) is/are in place, the employee should be capable of performing according to the standards of his/her position. Finally the employee should inform the employer of any change in his/her situation, (especially if it involves modifying the established accommodation(s)).

2. Types of accommodations

Accommodations at work are diverse and there are many ways to implement them. One of the most popular one consists in making alterations in the working hours. According to studies, this simple and effective method is often all an employee needs¹¹. This mode of accommodation can take on different forms. For instance, an employer can arrange an employee's workday to begin later in the day and/or to allow frequent, shorter breaks throughout the day to better manage energy reserves, or simply to modify the schedule, such as different or shorter days. A more concrete example would be that an employer could allow an employee with a mobility issue to begin his/her shift an hour later in order for him/her to have time to get ready in the morning and to get to work. Another modification possibility is that one can work from home on the days he/she is unable to get to the office (if applicable). This allows the individual not to have to deal with problems that may arise from traveling, while spending more time working efficiently.

One can also consider making changes in the tasks or in the position itself. If the individual with a disability struggles to perform certain tasks, he/she could transfer them to someone else. At the same time, other employees could reassign some of their tasks to this individual. Result: both parties are accommodated, without being overloaded¹².

It is also possible to accommodate an individual by making modifications to the workplace. One can simply ensure that the business is entirely accessible (e.g. parking, bathrooms, dining room, etc.). Other ways to bring changes to the workplace for persons with a disability would be to keep the work environment neat and clear, to install audible and visual signals for various technological devices (e.g. alarm systems), to have brighter lighting and to provide a work environment with few distractions. It is important not to forget that all these changes can also be beneficial for the rest of the staff as well.

One can also modify or purchase tools, equipment or electronic devices for the individual. For example, it is possible to provide specialized software (e.g. voice command program), ergonomic chairs and specialized phones. It is also possible to make adjustments to furniture (e.g. change the height of desks). There are many products and assistive devices on the market that can aid a person with a disability perform in the workplace and one just has to take the time to get informed and inquire about the different available options.

¹¹ Canadian Apprenticeship Forum. (March 2009). *Workplace accommodations for persons with disabilities in the skilled trades: A preliminary investigation*, [Online], http://caf-fca.org/uploads/documents/WebsiteReports/CAF2009_AccomForDisabled.pdf (Page consulted July 17th, 2014), p. 9.

¹² Government of British Columbia, Minister's Council on Employment for Persons with Disabilities. *op.cit.* p. 16.



Most employers use accommodations everyday with employees, with and without a disability. They provide them to their employees, knowing that in the long term, the investment will be beneficial. Why? Because employees appreciate the employer's effort, they will probably remain loyal, reliable and productive. If a company is willing to lend a smart phone to one of its employees because he/she works on the road, why not extend the same privilege to an employee who is hard of hearing, in order to allow texting for an effective interaction with his/her co-workers?

Often, the employer just needs to be open and creative to find the best possible solution for both the business and the employee. Every situation is different, but the goal is always the same: to allow employees to meet the objectives of their position, while working to their full potential.

3. Are there significant costs related to accommodations?

Employers often mention that accommodations make it too expensive to hire a person with a disability. This myth often raises doubts among employers in regards to the implementation of adaptations and the hiring of persons with a disability. However, many studies have proven that this is incorrect. In fact, studies show that most accommodations have a relatively low-cost (the average cost is between \$0 and \$600¹³). Besides, according to the *Job Accommodation Network*, employers report a net benefit of \$25.65 (U.S.) for every dollar spent on accommodations¹⁴. Furthermore, the vast majority of persons with disabilities do not need any accommodation in the workplace at all.

Nevertheless, there are high and low costs related to the establishment of some accommodations. Employers can take into consideration possible solutions in order to reduce associated costs. For instance, if an individual using a wheelchair cannot use his/her desk because it is too low, accommodations with high or low costs exist in this situation. The more costly option would be to purchase a new desk, while the economic option would be to simply install blocks under the actual desk to adjust it to the desired height¹⁵. To sum up, there are always different ways to accommodate, and according to studies, most employers have managed to do so without high expenditures.

¹³ These amounts are an average of costs reported by different studies.

¹⁴ North East Community Partners for Inclusion. (November 2005). *Guide to Hiring Persons with Disabilities for Saskatchewan Employers*, [Online], http://www.garytinker.ca/media/pdf/Employer_Guide.pdf (Page consulted June 12th, 2014), p. 25.

¹⁵ Kootenay Career Development Society. *Why hire persons with disabilities? Support for employers*, [Online], http://www.kcds.ca/wp-content/uploads/2010/12/Disabilities_Support_For_Employers1.pdf (Page consulted June 9th, 2014), p. 24.



The most frequently used accommodations are often free or costing a maximum of a few hundred dollars (e.g. changes in the schedule or work environment, small technological tools, assistive devices, or special furniture). Also, persons with a disability can often accommodate themselves by developing techniques or finding solutions themselves. As well, many of them have in their possession their own personal accommodations (e.g. hearing aids or a wheelchair)¹⁶, although an employer may need to provide further adaptations specific to their workplace.

4. Accommodation funding resources

When employers implement accommodations, it may be possible to get financial assistance from various organizations, agencies and programs. There are provincial and federal programs to assist employers in the hiring of persons with disabilities. Government assistance includes funding programs and information services. For instance, the federal government through *the Opportunities Fund for Persons with Disabilities* offers a range of activities that can be personalized to meet the specific needs of persons with a disability. This program may provide financial assistance to cover a portion or all costs related to the implementation of accommodations¹⁷. An application would have to be submitted for consideration to benefit from this financial assistance. For more information, visit the following Web site: <http://www.servicecanada.gc.ca/fra/fi/index.shtml>.

There may be other sources of funding available to help employers meet the needs of their employees. Employers should be aware of these external options because they are really useful to implement accommodations.

5. Direct and indirect benefits

At first, it may be challenging for employers to see the benefits arising from implementing accommodations in the workplace. Many could think that they are only beneficial for the employee; however, studies show that adaptations have significant direct and indirect benefits for the business itself. In terms of direct benefits, **you can view accommodations as a compensation for a person's disability, or more appropriately, you can view it as an enhancement of a person's ability**¹⁸. Furthermore, research show that the implementation of

¹⁶ Le Conference Board of Canada. *op.cit.* p. 11.

¹⁷ Gouvernement du Canada, Service Canada. *Financement : Fonds d'intégration pour les personnes handicapées (FI)*, [Online], <http://www.servicecanada.gc.ca/fra/fi/index.shtml> (Page consulted June 12th, 2014)

¹⁸ Government of Alberta, Human Resources and Employment. *Employment Series for Persons with Disabilities- Tips for Employers (Human Resources and Employment)*, [Online], <http://centralalberta.ab.ca/assets/documents/Tips-Employers.pdf> (Page consulted May 28th, 2014), p. 25.



accommodations brings many other benefits. Here is a list of the top direct benefits reported after implementing accommodations¹⁹:

- Retaining qualified employees
- Increasing the employee's productivity
- Eliminating costs associated with training a new employee
- Increasing the employee's attendance
- Increasing diversity of the company

In addition to these direct benefits, here is a list of the top indirect benefits reported after offering accommodations²⁰:

- Improving interactions with co-workers
- Increasing overall company morale
- Increasing overall company productivity
- Improving interactions with customers
- Increasing workplace safety
- Increasing profits
- Promoting universal access
- The use of new technologies, tools and equipment for all employees

6. The duty to accommodate

Another aspect that may raise questions among employers is the duty to accommodate, which refers to an “employer’s obligation to take appropriate steps to eliminate discrimination against employees, prospective employees or clients resulting from a rule, practice, or barrier that has – or can have – an adverse impact on individuals with disabilities²¹”.

In federal and provincial legislations there are obligations for employers to accommodate persons with a disability. Employers must be aware of these requirements. Moreover, they should be well informed of the various Human Rights Commissions and other employment specialists, in order to properly meet their requirements. Employers should not hesitate to get in touch with different agencies to obtain more information.

¹⁹ Gouvernement du Canada, Ressources Humaines et développement des compétences. *op.cit.* p. 19.

²⁰ *Ibid.* p. 19.

²¹ North East Community Partners for Inclusion. *op.cit.* p.22



Conclusion

In conclusion, this document was designed to provide general information of the different facets of accommodations in the workplace. As what was highlighted earlier, it is important that employers understand that workplace accommodation, despite what myths say, generally do not generate high costs. Taking into account the many direct and indirect benefits resulting from the implementation of the accommodation(s), it is clear that the benefits outweigh the costs. There are many types of accommodations available and it is possible for an employer to find the best solution for him/her and his/her employee with determination, cooperation, originality, creativity and respect.

Finally, one must not forget that the implementation of accommodations allows employees to reach their full potential, in order to adequately meet the objectives of their position. Moreover, an effective accommodation, can be beneficial for both the employee and employer.

For further information, please contact the New Brunswick Employer Support Services (NBESS). The NBESS offers free services to employers through consultations, presentations and training.

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