

<b>Topic:</b>	<b>Recruitment Accommodation</b>
<b>Effective:</b>	<b>December 2016</b>
<b>Revision Date:</b>	<b>December 2020</b>
<b>Review Date:</b>	<b>December 2023</b>
<b>Cross-Reference:</b>	<b>Ontario Human Rights Code (OHRC); Accessibility for Ontarians with Disabilities Act (AODA); Employment Standards Act, Ontario; HDSB Employment Equity Policy HDSB Confidentiality of Medical Records Admin Procedure</b>
<b>Responsibility:</b>	<b>Superintendent, Human Resources</b>

**INTENDED PURPOSE:**

The Halton District School Board is committed to providing a workplace where people of diverse cultures and abilities contribute fully.

The Halton District School Board will provide accommodations to all candidates, upon request, up to the point of undue hardship. This procedure applies to internal and external candidates for consideration to full-time, part-time, contract and occasional positions.

This procedure identifies steps for providing reasonable accommodation for candidates who have temporary or permanent disability, or who otherwise require accommodations based on the protected grounds highlighted in the Ontario Human Rights Code in respect to the recruitment and selection process.

**DEFINITIONS:**

*“Duty to Accommodate”* -- The duty to accommodate is based on the legal obligations set out primarily in the Ontario Human Rights Code (OHRC), the Accessibility for Ontarians with Disabilities Act (AODA) and the Employment Standards Act, Ontario. This duty refers to the obligation of an employer to take reasonable steps to eliminate disadvantages to employees, prospective employees or clients that result from a rule, practice or physical barrier that has, or may have, an impact on individuals or groups protected under the OHRC. Employers have a statutory obligation to build accommodation into their practices as much as possible from the outset, up to the point of undue hardship, considering health, safety and cost.

*“Functional abilities”* -- Functional abilities are an assessed level of ability based on physical, psychological, physiological or anatomical condition(s) as determined by a qualified healthcare professional. Functional abilities may affect the ability to perform tasks or activities.

*“Persons with disabilities”* -- The term “persons with disabilities” is defined in the AODA as: “persons who have a long-term or recurring physical, mental, sensory, psychiatric or learning impairment” and who:

- (i) consider themselves to be disadvantaged in employment by reason of that impairment, or
- (ii) believe that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that impairment, and includes persons whose functional limitations owing to their impairment have been accommodated in their current job or workplace. For the purpose of this Admin Procedure the term “persons with disabilities” is not limited to this definition.

**PROCEDURES:****Accommodations:**

The HDSB is committed to:

- (i) providing all candidates with an equal opportunity to fully demonstrate their skills and qualifications;
- (ii) determining reasonable accommodations on a case-by-case basis;
- (iii) basing reasonable accommodations on complete and objective information, which includes the nature and extent of the individual's functional limitations;
- (iv) hiring qualified staff.

**Job Postings:**

- (i) All job postings will include a statement that affirms the HDSB's commitment to inclusive and equitable hiring practices.

**Contacting Candidates:**

- (i) When arranging testing and/or job interviews, candidates will be informed about the assessment process (e.g. format, duration, number of people on the selection team, location, etc.).
- (ii) Candidates will be notified that accommodation is available upon receipt of a written request that outlines the nature of their functional limitation, and the required accommodation.
- (iii) In some cases, Human Resources may request documentation from a qualified professional to help determine appropriate accommodations; a clear description of the nature and extent of functional limitations may require knowledge that only professionals in the field possess.
  - a. Only the nature and extent of the person's functional limitations relative to the assessment process, including standardized test results and interpretation if applicable and the professional's recommendations may be requested.
- (iv) Human Resources consults with the hiring manager and internal and/or external subject matter experts (e.g. Information Technology, Health & Wellness, attending physician, medical specialist, etc.) to determine reasonable accommodations to be provided.
- (v) The candidate will be informed of the accommodations to be provided in advance of the assessment session.
- (vi) Human Resources arranges for reasonable appropriate supports to be made available for the candidate.
- (vii) Human Resources ensures that all efforts to accommodate the candidate are documented and kept in a confidential file in the Human Resources department.

**Interview:**

- (i) Predetermined accommodations will be carefully followed during the interview process to ensure the provision of a fair and equitable process.

**Candidate's Role in the Interview Accommodation Process:**

Candidates have an essential role to play in the process of determining the nature of the assessment accommodations. They are responsible for:

- (i) (Communicating their need for accommodations to the person in charge of the selection process.
- (ii) Discussing their needs with those responsible for the assessment who are determining accommodations by providing information on the nature and extent of their specific functional limitations, and by providing input on past accommodations and their appropriateness.

Accommodations may include but not limited to, alternative:

- setting;
  - presentation format;
  - response format; and/or
  - scheduling/timing.
- (iii) The Candidate may be required to have their Health Professional complete the Halton District School Board's *Abilities Form - Staffing & Recruiting* to provide the Board with information to assess reasonable recruitment accommodation and to understand the restrictions and/or limitations.

The nature and extent of functional limitations are essential to establish proper assessment accommodations.

Note: In a situation where a candidate is unwilling to share this essential information, it may not be possible to provide the most appropriate accommodations.

**Privacy of Information:**

All information pertaining to recruitment, staffing and accommodation activities, including medical records, are confidential (under the Freedom of Information and Privacy Protection Act). The following information must be maintained in a secure location:

- (i) All correspondence with the applicant, including e-mails, concerning their request for assessment accommodations;
- (ii) A record of any information provided by the applicant concerning their functional limitations and needs;
- (iii) A copy, if provided, of any professional documentation received and any correspondence with the professional;
- (iv) If applicable, documentation indicating consent by the candidate to contact or obtain information from a professional;
- (v) A copy of the proposed assessment accommodations and the rationale for them, as well as the candidate's feedback on the proposed accommodations;
- (vi) When a standardized test is used, all correspondence and information shared with the author of the test;
- (vii) Name and contact information of the assessment panel members;
- (viii) A record of all pertinent comments made by the candidate during the assessment process, as well as information pertaining to the appropriateness of the accommodations;
- (ix) A record of all pertinent comments from selection team members recorded during the assessment session;
- (x) A detailed record of any alterations to the assessment accommodations that were necessary during the assessment session;
- (xi) Documented communication with the candidate following the assessment process.