

# Guide to create an Individualized Accommodation Plan Process and Policy

For Public Sector Organizations

# Introduction

Accessibility accommodations help remove barriers so individuals are able to meet their employment goals and contribute fully to their workplace. Most workplace accommodations offer an adjustment to how things are usually done, at little or no cost.

The aim of this document is to provide background information, explanations and examples that will help employers create a process and policies to introduce an individualized accommodation plan and policy, as required under the Accessibility Standard for Employment.

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## Accessibility Standard for Employment

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The Accessibility Standard for Employment requires employers to provide [reasonable accommodation](#) for potential and current employees with disabilities. Section 13 of the Accessibility Standard for Employment calls on employers to develop and implement an individualized accommodation plan if requested by an employee with a disability.

An individualized accommodation plan must document the employer's measures or actions to provide the employee:

1. Accessible formats and communication supports in delivering employment information
2. [Workplace emergency response information](#)
3. Details of how and when the employer will introduce any other reasonable accommodation(s) to address a barrier

In addition to developing a process to respond to an employee's request to develop an individualized accommodation plan, Section 13 of the Accessibility Standard for Employment requires businesses or organizations with 50 or more employees to create an individualized accommodation plan policy.

Please see the [Accessible Employment Standard Regulation](#) to review your legal obligations.

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## Definitions under the Accessibility Standard for Employment

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**Reasonable accommodation** is an adjustment to how things are normally done in order for an employee to perform their employment responsibilities or access the benefits available to them, by virtue of their employment. It would not result in undue hardship to the employer.

**Accessible format** means communicating information in a way that works for a person disabled by a barrier, and includes large print, recorded audio, electronic formats and braille.

**Communication support** means a support used to help communicate with a person disabled by a barrier, and includes sign language, captioning, and augmentative and alternative communication supports.

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## Instructions

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This document includes:

- i. a process for how to develop and implement individualized accommodation plans, based on the requirements of Section 12 of the Accessibility Standard for Employment
- ii. sample policy statements based on the requirements of Section 13 of the Accessibility Standard for Employment
- iii. a sample individual accommodation plan worksheet that you can use when developing an individualized accommodation plan for an employee

You are welcome to add details or adjust the process to reflect the circumstances of your organization or business. You may then wish to insert your organization or employer name to the process and sample policy to make these your own.

# Process to Create an Individualized Accommodation Plan

**Employer – employee collaboration** is critical to identifying and implementing a reasonable accommodation that meets the individual's needs and the workplace circumstances.

**Confidentiality** ensures that the accommodation requirements are a private discussion between the affected employee and management.

The Accessibility Standard for Employment requires the following steps:

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## Step 1. Initiate a Request for an Accommodation

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- The employer will respond to an employee who requests an individualized accommodation plan to address a barrier the individual is experiencing in the workplace
- Other human resource personnel involved in hiring or performance management, such as a supervisor, may also initiate the request for reasonable accommodation

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## Step 2. Gather Relevant Information and Assess Needs

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- The employer will engage the employee in an initial conversation to assess the workplace barrier and possible accommodations to address this barrier
- The employee must cooperate in this process by:
  - o providing relevant information to assist the employer, including any reports from a regulated health professional or other practitioner in the area of workplace accommodations for employees with disabilities (for example, by providing a note from their family physician)
  - o participating in an evaluation initiated by the employer to determine the accommodation that is required
- In accordance with their accommodation policy, the employer may require an evaluation of the barrier and options for accommodations from an independent health professional or other practitioner in the area of workplace accommodations
  - o The focus will be on the accommodation required, not medical details about the employee's disability

- o An independent regulated health professional or other practitioner in the area of workplace accommodations for employees with disabilities will carry out the evaluation.
- The employee is responsible for costs associated with obtaining medical information to support the accommodation (for example, costs associated with receiving a doctor's note and/or other supportive documentation from their family physician or specialist). If the employer requests an independent examination, then the employer is responsible for paying for that particular expense.
- The manager (supervisor) will continue to engage the employee in evaluating potential options to remove the barrier successfully
- The employer will treat information related to the accommodation, including external evaluations, as confidential. Management will not discuss the information with other employees, unless agreed for organizational purposes. Related forms and information will be stored securely

If relevant:

- The employee may request that a representative from the bargaining agent (union) or another representative from the workplace participate in the assessment

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### **Step 3. Develop and Document the Individualized Accommodation Plan**

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- The employer will develop and document the individualized accommodation plan, including:
  - accessible formats and communication supports, if requested
  - workplace emergency response information, if required
  - details of how and when any other accommodations will be provided
- The employer will provide the employee the accommodation plan in a format that is accessible to the employee. In the event that the accommodation is denied, the employer will provide the employee an explanation in a format that is accessible to the employee
- The employer will protect the employee's personal information at all times

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#### **Step 4. Implement the Individualized Accommodation Plan**

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- The employee will comply with the accommodation plan and perform their work accordingly. The employee will offer feedback to the employer, including whether the accommodation plan requires modification or is no longer required
- The employer will support the employee in implementing the accommodation plan

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#### **Step 5. Review the Individualized Accommodation Plan**

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- The employer will review and update an employee's accommodation plan, if required, when:
  - o the employee's workspace is modified or relocated
  - o the employee's responsibilities have changed
  - o the employer is aware there are other changes that affect the accommodation
  - o the employee has requested a review
- Frequency of review: The employer may set a timeframe for the review of an employee's individualized accommodation plan, for example, on the three-month anniversary date and in combination with regular employee reviews after that

## **Individualized Accommodation Plan Policy**

Public sector organizations and organizations with 50 or more employees must have a documented policy for the development and implementation of an individualized accommodation plan.

Smaller businesses and organizations may also wish to document their policy to instruct management and employees about what to expect when initiating a request for an individualized accommodation plan.

The attached sample policy follows the requirements of Section 13 of the Accessible Employment Standard Regulation.

# [Name of Employer] Individualized Accommodation Plan Policy

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## 1. Request for an individualized accommodation plan

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We support employees by providing reasonable accommodations in the workplace. An employee may make a verbal request or send a written request to their manager, supervisor or other human resources representative for an individualized accommodation plan.

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## 2. Assessment of employee and accommodation required

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We will assess the employee and possible accommodations on an individual basis.

We may request, and cover costs for, an evaluation by an independent regulated health professional or other practitioner in the area of workplace accommodations for employees with disabilities.

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## 3. Assistance to the employee in developing the accommodation plan

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An employee may request assistance in the development of the plan, including:

- a representative of the bargaining agent (union) if applicable
  - another person who is knowledgeable about workplace accommodations for employees with disabilities
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## 4. Content of the accommodation plan

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The individualized accommodation plan includes:

- accessible formats and communication supports, if requested
  - workplace emergency response information, if required
  - details of how and when any other accommodations will be provided
  - when the plan will be reviewed
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## 5. Review of the plan

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Frequency of review: We will review an employee's individual accommodation plan on the three-month anniversary date and in combination with regular [annual] employee reviews after that. We will update the accommodation plan as required.

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We will also review, and update if required, an employee's accommodation plan when:

- the employee's workspace is modified or relocated
- the employee's responsibilities have changed
- other workplace changes have occurred that affect the accommodation
- the employee has made a request to review and update the accommodation plan

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## **6. Accessible formats**

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We meet the communication needs of our employees by providing them with a copy of their plan or an explanation for denying the request to introduce a plan in a format that is accessible to the employee.

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## **7. Requests denied**

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We may deny an employee's request for an individualized accommodation plan in the following circumstances:

- The employee is able to carry out most of the job without an accommodation
- The independent regulated health professional(s) does not support the employee's self-assessed requirement of a workplace accommodation
- Our research shows that the accommodation request would cause undue hardship (e.g., by creating safety risks to other employees or an unsustainable financial burden)

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## **8. Protection of employee information**

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We will protect the employee's personal information and personal health information at all times by taking the following steps:

- using confidential forms
- locking file storage and limiting access to human resources and managers only

**Date of next policy review:** \_\_\_\_\_

**Approved by:** \_\_\_\_\_



# Sample Individual Accommodation Plan Worksheet

Employee's name: [write employee's first and last name]

Date: [write date]

Employee's position/department: [write position/department]

Manager: [write employee's manager]

Workplace Barriers	Job-related tasks/activities affected by barriers	Is this an essential job requirement?

Sources of professional input into the individual accommodation plan (e.g., human resources manager, union, family doctor, specialists):

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Accommodation measures are to be implemented from [start date] to [end date].

If no end date is expected, the next review of this accommodation plan will occur on [review date].

(The accommodation measure(s) should be reviewed regularly, for example annually.)

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### Description of Accommodation Measure(s)

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**Which job requirement(s) and related tasks require accommodation?**

1. [E.g., Employee persistently late for work due to medical reason.]
2. \_\_\_\_\_
3. \_\_\_\_\_

**What are the objectives of the accommodation (i.e., what must the accommodation do to be successful)?**

1. [E.g., Allow employee to arrive at work on time.]
2. \_\_\_\_\_
3. \_\_\_\_\_

**Which accommodation strategies/tools have been selected to aid this task/activity?**

1. [E.g., Employer offered employee a flexible work schedule so that she could arrive at work later.]
2. \_\_\_\_\_
3. \_\_\_\_\_

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### Accessible Formats and Communication supports

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Upon request, this information will be shared with the affected employee with consideration to her communication requirements. For example, in email only.

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### Roles and Responsibilities

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Outstanding actions to implement accommodation	Assigned to	Due date

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### Additional Documents

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Document	Yes	No
Emergency Plan		
[Others]		
[For example, Return-to-Work Plan]		

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Employee's signature

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Manager's signature



For more information or to access alternate formats, visit [www.AccessibilityMB.ca](http://www.AccessibilityMB.ca) or contact:

## **Disabilities Issues Office (DIO)**

630 - 240 Graham Avenue

Winnipeg MB R3C 0J7

Phone: 204-945-7613 (in Winnipeg)

Toll-Free: 1-800-282-8069, Ext. 7613 (outside Winnipeg)

Fax: 204-948-2896

Email: [dio@gov.mb.ca](mailto:dio@gov.mb.ca)

Legal disclaimer: This information complements the application of the regulations under The Accessibility for Manitobans Act (AMA) and is not legal counsel.

