

Reasonable Accommodation

Reasonable accommodation results in greater equality of opportunity and participation in employment, services and housing of persons with special needs based on specific grounds including physical or mental disabilities. It may involve removing barriers to full participation in society, and it often involves a simple and inexpensive change to how something is typically done, which takes into account the needs of a person. An example is a service provider reading out loud printed information to a customer who is blind or visually impaired or offering the information in an alternate format.

An accommodation is “reasonable” when there is an adequate process, which has taken place and the effort and measures taken are sufficient. A person who believes that an employer, landlord, service provider or other responsible party has not taken reasonable steps to accommodate a special need could file a complaint with The Manitoba Human Rights Commission. In deciding whether reasonable accommodation has been made, the Commission will look at both the process used to accommodate a special need as well as any resulting accommodation.

Under The Human Rights Code the failure to reasonably accommodate is discrimination.

What is Undue Hardship?

Sometimes accommodation becomes so difficult it becomes unreasonable or an undue hardship.

Some factors that determine whether reasonable accommodation to the point of undue hardship has been made include: financial costs, health and safety concerns, impact on other employees and service users and the impact on other protected rights. Undue hardship must be based on facts and not assumptions.

For more information visit the Manitoba Human Rights Commission’s website at www.manitobahumanrights.ca (Under “Resources” see guidelines. There is a specific guideline on reasonable accommodation.)