

Guide to Create an Individualized Accommodation Plan Process and Policy

For Businesses and Non-Profit Organizations

Legal disclaimer: This information complements the application of the regulations under [The Accessibility for Manitobans Act \(AMA\)](#) and is not legal advice. For certainty, please refer to the AMA and [the Accessible Employment Standard Regulation](#).

Introduction

Accessibility accommodations help remove barriers so individuals with visible and invisible, as well as temporary and permanent disabilities 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 to introduce an individualized accommodation plan and policy, as required under the Accessible Employment Standard Regulation.

Accessible Employment Standard Regulation

The Accessible Employment Standard Regulation requires employers to provide reasonable accommodations for potential and current employees with disabilities. Section [12](#) of the Accessible Employment Standard Regulation calls on employers to consider and, if applicable, 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, if applicable under Section [14](#)
2. workplace emergency response information, if applicable under Section [15](#)
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 Accessible Employment Standard Regulation 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.

Definitions under the Accessible Employment Standard Regulation

Reasonable accommodation is often 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. A reasonable accommodation should not result in undue hardship to the employer. Undue hardship may be met when there are major and demonstrable costs or health, and safety risks associated with meeting an accommodation.

Accessible format means communicating information in a way that works for a person disabled by a barrier, and includes, but is not limited to 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 but is not limited to sign language, captioning, augmentative and alternative communication supports.

Instructions

This document includes:

- i. a process for how to develop and implement individualized accommodation plans, based on the requirements of Sections [12](#) and [13](#) of the Accessible Employment Standard Regulation
- ii. required policy statements based on the provisions of Sections [12](#) and [13](#) of the Accessible Employment Standard Regulation
- 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 to reflect the circumstances of your organization or business. You can 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, management and Human Resources personnel, bargaining agents or persons knowledgeable in the area of workplace accommodations, if applicable.

The Accessible Employment Standard Regulation requires the following steps:

Step 1. Initiate a request for an accommodation

- The employee will request an individualized accommodation plan to address a barrier that they are experiencing in the workplace.
- Human resource personnel involved in hiring or performance management, such as a supervisor, may also initiate the request for reasonable accommodation.

Step 2. Gather relevant information and assess needs

- 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:
 - 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)
 - 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.

- The focus will be on the accommodation required, not medical details about the employee's disability.
- 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 knowledgeable in the area of workplace accommodations participate in the development of the plan.

Step 3. Develop and document the individualized accommodation plan

- 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.

Step 4. Implement the individualized accommodation plan

- 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.

Step 5. Review the individualized accommodation plan

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

Individualized Accommodation Plan Policy

Large 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, developing and implementing 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

1. Request for an individualized accommodation plan

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 another human resources representative for an individualized accommodation plan.

2. Assessment of employee and accommodation required

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. When medical documentation from a family physician or ongoing specialist is requested, it is the responsibility of the employee to cover costs.

We ensure that any performance management process, career development training, or opportunities for internal advancement within the workplace consider the employee's individualized accommodation plan.

3. Assistance to the employee in developing the accommodation plan

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

- a representative of a bargaining agent (union), if applicable
- a person who is knowledgeable about workplace accommodations for employees with disabilities

4. Content of the accommodation plan

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

5. Review of the plan

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

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

6. Accessible formats

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

7. Requests denied

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

- 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, which may be met when there are major and demonstrable costs or health, and safety risks associated with meeting an accommodation.

8. Protection of employee information

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 (e.g., restrictions or limitations in relation to performance of their job)	Job-related tasks/activities affected by barriers

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

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.)

Description of accommodation measure(s)

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 (e.g., 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 and end the workday later.]
- 2.
- 3.

Accessible formats and communication supports

Upon request, this information will be shared with the affected employee with consideration to her communication requirements.

Roles and responsibilities

Outstanding actions to implement accommodation	Assigned to	Due date

Additional documents

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

Employee's signature

Manager's signature

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

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