



Accommodations for specific groups of workers

This infosheet is a supplement to our [Accommodations in the workplace](#) resource that discusses the importance of accommodations. Here, you will find examples of accommodations that are often used to support workers who need accommodation and who are:

- People with disabilities
- Caregivers
- Pregnant employees
- People who are transgender and gender diverse
- Employees with varying religious beliefs

Employers who advance employment equity through accommodations help create inclusive workplace cultures and their legal responsibilities to address identity-based barriers.

This infosheet will take you through some tips and examples to consider when assessing the need for accommodations in your workplace.

Some general things to keep in mind since each situation is different:

- The examples in this infosheet are not exhaustive, and any accommodation plan should be created in partnership with your workers and, if applicable, their union
- Workers may need different accommodations when there are changes at work such as new assignments, new technology or tools, or changes to the job location
- A worker's accommodation needs may also change over time as their health, family or personal circumstances change
- The needs of each individual may vary and they may also be intersectional

Accommodations for people with disabilities

If a person has a disability, it's important to focus on their abilities rather than their diagnosis.¹ This means looking at what they can do and helping them in areas where they may need more support.

Some things to remember when providing accommodations to people with disabilities are:

- Time off work may be required at the onset of a disability or from time to time going forward, depending on the situation
- Each situation will be different depending on the person and job requirements
- Different workers may need different accommodations even if they have the same disability
- Not everyone with a disability will need accommodation

What are disabilities?

Defining what is and isn't a disability can be complex. A person can have a disability that is visible or invisible, physical or mental, permanent or temporary, or even a disability that overlaps with another. According to the United Nations' Convention on the Rights of Persons with Disabilities (CRPD):²

“[D]isability is an evolving concept and [it] results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.”

In an employment context, it can be understood that certain barriers may prevent certain people from doing their best work. Providing accommodations can help remove these barriers.

For people with physical and cognitive or developmental disabilities

Examples of accommodations can include:³

Modifying job responsibilities

- Reassign physically or emotionally demanding tasks
- Adjust deadlines or the pace of work
- Assign more tasks that align with your worker's strengths

Scheduling accommodations

Providing the following accommodations can make a significant difference to people with disabilities:

- Part-time hours
- Flexible work schedules
- The ability to work from home
- Split shifts
- Scheduling work at only one location

Communicating differently

Adjusting communication methods and mediums can be helpful for people who may have vision, cognitive or hearing impairments. You can:

- Provide written materials in large print and alternative formats
- Use photos and other modes of visual communication with written materials
- Add closed captions to videos for people who are hearing impaired

Tips to consider for those with vision impairments

- Use a font size of at least 12 pt for easier reading
- Use easy-to-read sans serif font types (such as Verdana or Arial)
- Provide accessible PDF formats for screen readers

Note that the above tips might not be helpful to everyone with vision impairments. It's always best to consult those with certain disabilities to figure out what solutions work best for them.



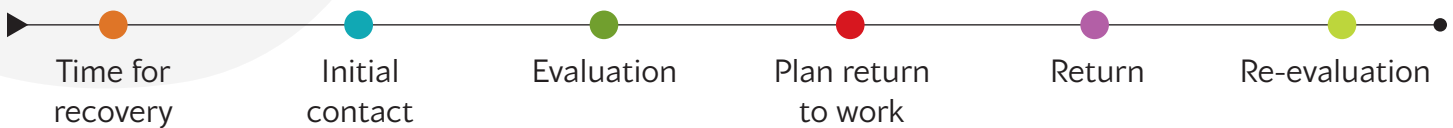
Adjusting the built environment

The physical workspace may require changes due to permanent or temporary disabilities. You could:

- Help minimize distractions by providing a quiet space to work, headphones or earplugs
- Move the employee's workstation closer to other required equipment or rooms
- Modify desk height
- Remove barriers from pathways and work areas
- Add ramps

For people with mental health disabilities

Supporting employees with mental health disabilities can often be considered in six steps:⁴



1. Time off for recovery, where appropriate to the nature of the disability
2. Initial contact with the employee before their planned return to work
3. Evaluation of their situation, job tasks and whether work is causing or contributing to their mental health challenges
4. Development of a return-to-work plan with necessary accommodations
5. Return to work
6. Re-evaluation of the return-to-work process and accommodations

People with mental health disabilities may face some difficulties after returning to work. These include reduced stamina, poor concentration, reduced organizational capacity and stigma from colleagues or clients. Accommodations to support with these challenges and others may include:

- Adjusting work schedules
- Changing work environments
- Modifying required tasks or timelines
- Reducing the mental strain of high-stress positions
- Nurturing positive working relationships

For people with substance use disorder

In regard to accommodations for those with substance use disorders, the law is the same as for accommodations on the basis of other disabilities.

Although some decision makers uphold distinct forms of accommodation applicable to employees with substance use disorders, the law recognizes that substance use disorders are mental health disabilities. In the Commissioner's view, employer's obligations are the same as those that apply to mental health disabilities.

Accommodations for caregivers

The challenges faced by workers who are also unpaid caregivers to family or community members will be unique. They will often need flexibility and support to help them continue working to the best of their ability. Examples of these accommodation supports can include the following.

Flexibility to accommodate both roles

Workplace policies such as flex time, telecommuting and reduced or flexible hours can help workers balance family responsibilities.

Flexible work options

These options can often address many employee needs, while costing the employer little to nothing and still allowing the employee to fulfill their work responsibilities.

- **Flextime programs and policies** generally permit employees to vary their workday start and stop times within a certain range, such as allowing an employee to arrive at work at any time between 8:00 and 9:30 a.m. and then work for 8 hours
- **Flexible workweeks** may include compressed workweeks, such as a workweek consisting of four 10-hour workdays
- **Telecommuting, work from home, or flexplace programs** enable employees to work from home or alternate office locations



Flexibility to support all types of caregiving

People with caregiving responsibilities to elders or adults with high needs often experience challenges in balancing work and care that are different from those faced by caregivers to babies and children. This type of caregiving can be more episodic in nature with responsibilities occurring unpredictably, without warning, and lasting for various lengths of time.

Dedicated internal resources specific to elder care can help staff, as can connections to community support services.⁹

Support as paid leave

Paid leave should be offered to those caring for sick children or elders.

Since the onset of the global pandemic, childcare services are much less willing or able to provide care to sick children, and parents need paid leave more than ever to fill this gap.

Support as top-up policies

Various kinds of top-up policies exist to support workers.

For example, employers can offer a salary top-up to supplement income provided through Employment Insurance for compassionate care leave and family responsibility leave. Though these types of top-ups are still fairly uncommon compared to parental leave top-ups, they are important.

Direct provision of services

Examples of this kind of accommodation include:¹⁰

- Onsite childcare
- Contracted respite
- Home support services provided directly by the employer

Sharing the workload

Caregiving responsibilities continue to fall disproportionately to women. Providing accommodations for caregivers helps contribute to gender equality, and so does encouraging and supporting all workers, regardless of gender, in using these policies.

It is also valuable to have senior leadership model this practice. When men with caregiving duties are supported in attending to family responsibilities it can help reduce the pressure felt disproportionately by women while also supporting their role in the workforce.¹¹



Accommodations during pregnancy and parental leave

The accommodations that pregnant employees need will shift throughout their pregnancy (especially if any complications arise), following the birth of their child and during their return to work.

The Canadian Human Rights Commission recommends the following approach:¹²



1. Allow flexibility for medical appointments

When prenatal or pregnancy-related medical appointments fall during work hours, employers should cover for their employee and accommodate this need. Depending on the flexibility of the workplace and policies in place, this may be time off with or without pay.

2. Check in

Some people will need to adjust their workload or avoid physically strenuous tasks during their pregnancy, but many will not.

Employers should not assume pregnant employees need less challenging assignments. Instead, they should ask or wait until an accommodation is requested.

The employer and employee should revisit the question periodically throughout the pregnancy as the answer may change.

3. Maintain benefits throughout

While on parental or pregnancy-related leave, employees are entitled to the same benefits that they received while at work.

For example, contributions to employment benefits such as pension, health insurance, life insurance, disability, dental or medical should continue to be paid if they were previously covered.

Employees responsible for a portion of the cost of benefits during employment continue to be responsible for that portion while on parental or pregnancy-related leave.

Accommodations that may be required during pregnancy

Managers and supervisors should find creative and flexible solutions to issues that may arise for their employees during pregnancy. Temporary solutions can include things like:

- Flextime
- Changing or sharing shifts
- Reduced workload and/or part-time hours
- Safer assignments
- Modified uniforms
- Extra washroom breaks
- No overtime
- Preferred parking



4. Keep them in the loop

Employees on parental or pregnancy-related leave should be:

- Made aware of job opportunities that become available so that they can compete for them if they wish
- Informed of any changes to their jobs
- Given the same opportunities to participate in any work-related discussions or consultations as employees who are at the workplace

5. Ensure a smooth transition back to work

Employees returning to work after pregnancy or parental leave should:

- Return to the same job or a similar job if the original job no longer exists
- Receive any wage or benefit increases that came into effect while they were on leave

6. Make space for breastfeeding

Employees who nurse or express/pump breast milk should be provided with accommodation for this purpose. This can include:

- Providing a suitable clean and private place to nurse or express and store milk
- Providing longer or extra breaks to nurse or pump
- Allowing for alternative work arrangements

Accommodations for people who are transgender

It is necessary to respect the confidentiality of transgender workers. Employers should follow their employee's lead on how and when others are informed of their identity. This is crucial to protecting their safety and sense of well-being at work.

Some accommodations that may support transgender workers include the following.

Ensuring universal bathroom access

All employees require access to washrooms that are gender neutral or align with their gender identity. If the workspace has only men's and women's washrooms, employers should provide at least one gender neutral washroom option.

Making an accommodation plan together

Creating gender transition guidelines can help organizations outline how they will support an employee who is going through the transition process. Specific elements of an individual plan should be drafted with the employee to ensure their individual needs are centered.

The plan should include logistical considerations such as how to communicate the change to colleagues and clients and when to update systems and records to reflect a new name (if applicable) and pronouns.

Supporting medical requirements

For employees undergoing gender-related surgeries or receiving gender-affirming care, the following may be helpful:

- Time off for the procedure and recovery
- A gradual return to work, or temporarily modified duties, as they heal
- Support reconnecting with colleagues and clients, but only if requested or agreed to by the employee

Medical transitioning and health care costs

While many parts of gender confirmation surgeries are covered by provincial health care, there are costs associated with medical transitioning that are not covered. Such costs include access to electrolysis which is integral to many people's transitions.

Addressing these needs with benefits providers can further support employees who are transgender.¹³

Accommodating ongoing appointments that fall within the workday

People who are transgender may have various administrative needs having to do with their transition.

- l This can include, for example, meetings required to change government-issued documentation.

Accommodations for religious beliefs

Religion has been defined by the Supreme Court of Canada¹⁴ as being about:

“[F]reely and deeply held personal convictions or beliefs connected to an individual’s spiritual faith and integrally linked to [their] self definition and spiritual fulfillment, the practices of which allow individuals to foster a connection with the divine or with the subject or object of that spiritual faith.”¹⁵

An accommodation should be provided if a workplace policy or practice has been identified as negatively impacting an employee because of their religious belief. Examples of accommodations for religion can include:¹⁶

- Allowing prayer breaks and a quiet, private place to hold them
- Enabling schedule changes to observe religious days
- Establishing an organization-wide policy to allow employees to swap statutory holidays for other days of religious significance
- Accepting religious symbols or dress within the dress code
- Adjusting work tasks to respect religious requirements or observances



Accommodations for people returning to work after a long leave

Various life circumstances such as those outlined in this infosheet may require an employee to take a long leave of absence from work. Regardless of the cause, accommodations may be necessary to help the employee transition back into the workplace.

Depending on the situation, it may be appropriate to:

- Offer some of the accommodations noted above such as a gradual return to work, remote work options, flextime or reduced hours
- Provide support reconnecting with colleagues and clients
- Offer professional development or training options as they may help an employee feel more prepared to take on the work after their time away

As with many accommodations, remaining flexible and making adjustments as necessary can help both the employee and employer meet their personal and professional needs.¹⁷

Further resources

Our infosheet on [Accommodations in the workplace](#) provides useful introductory information on this topic.

Additionally, below are some resources from the Canadian Human Rights Commission:

- ▶ [Accommodation Works!](#)
- ▶ [Developing a Workplace Accommodation Policy](#)
- ▶ [A Guide to Balancing Work and Caregiving Obligations](#)

Please note that this infosheet provides general information. It is not legal advice. We hope you find it useful but encourage you to seek legal advice about how to implement our guidance in your workplace, including how collective agreement terms or other legal obligations must inform your efforts.

There is no one size fits all approach to employment equity. As an employer, your organization's size, maturity, composition, challenges and needs will inform the strategies that will help advance equity in your workplace.

Notes

- ¹ Marie-France Jasin Wong, Natasha Kallish, Deborah Crown, Pamela Capraro, Robert Trierweiler, Q. Eileen Wafford, Laurine Tiema-Benson, et al, "[Job Accommodations, Return to Work and Job Retention of People with Physical Disabilities: A Systematic Review](#)," *Journal of Occupational Rehabilitation* 31, no. 3 (September 1, 2021): 474–490.
- ² Ontario Human Rights Commission, "[What is disability?](#)" *Ontario Human Rights Commission*, accessed January 10, 2023.
- ³ Accessible Employers, Presidents Group Initiative, [Workplace Accommodation Guide](#), Accessible Employers, December 1, 2022; Wong et al., "[Job Accommodations, Return to Work and Job Retention of People with Physical Disabilities](#)."
- ⁴ Marie-France Bastien and Marc Corbière, "[Return-to-Work Following Depression: What Work Accommodations Do Employers and Human Resources Directors Put in Place?](#)" *Journal of Occupational Rehabilitation* 29, no. 2 (June 2019): 423–32.
- ⁵ Ibid.
- ⁶ Canadian Human Rights Commission, [Impaired at Work – A guide to accommodating substance dependence](#), CHRC, 2018.
- ⁷ Ibid.
- ⁸ U.S. Equal Employment Opportunity Commission, [Employer Best Practices for Workers with Caregiving Responsibilities](#), U.S. Equal Employment Opportunity Commission, 2009.
- ⁹ Carolyn S. Wilken, "[Balancing Work and Caregiving: A Guide for Employer: FCS2261/FY873, 11/2006](#)," *EDIS* 31, (December 18, 2006).
- ¹⁰ Caitlyn Collins, "[Who to Blame and How to Solve It: Mothers' Perceptions of Work–Family Conflict Across Western Policy Regimes](#)," *Journal of Marriage and Family* 82, no. 3 (June 2020): 849–74.
- ¹¹ Linda A. White, "Child Care, Women's Labour Market Participation and Labour Market Policy Effectiveness in Canada," *Canadian Public Policy* 27, no. 4 (December 2001): 385–405.
- ¹² Canadian Human Rights Commission, [Pregnancy & Human Rights in the Workplace: Policy and Best Practices](#), CHRC, January 1 2011.
- ¹³ Pride at Work Canada, [Hiring Across All Spectrums: A Report on Broadening Opportunities for LGBTQ2+ Jobseekers](#), Pride at Work Canada, 2018.
- ¹⁴ Supreme Court of Canada, [Syndicat Northcrest v. Amselem](#), Supreme Court Judgements, 30 June 2004.
- ¹⁵ Ibid.
- ¹⁶ Alberta Human Rights Commission, "[Protected areas and grounds](#)," *Alberta Human Rights Commission*, accessed January 10, 2023.
- ¹⁷ Arianna Costantini et al., "[Return to Work after Maternity Leave: The Role of Support Policies on Work Attitudes of Women in Management Positions](#)," *Gender in Management: An International Journal* 36, no. 1 (August 27, 2020): 108–30.

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